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Illinois Register

Rules of Governmental Agencies

Volume 17, Issue 22 — May 28, 1993

Pages 7605-8098

Administrative Code Div.
288 Howlett Bldg.
Springfield, IL 62756
(217) 782-9786

published by
George H. Ryan
Secretary of State

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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENTSDEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: Pay Plan
- 2) The Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers:
- | | |
|-----------------|---------|
| 310.210 | Amended |
| 310.320 | Amended |
| 310. Appendix A | Amended |
| Table G | Amended |
| Table P | Amended |
| Table Q | Amended |
- 4) Statutory Authority:
- Authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a.2) [20 ILCS 415/8a.2]
- 5) A Complete Description of the Subjects and Issues Involved:
- In compliance with the Joint Committee on Administrative Rules, the Illinois Compiled Statutes citations have been included in Sections 310.210 and 310.320.
- In Section 310. Appendix A, Tables G, P and Q, the Illinois State Employees Association Collective Bargaining Unit (ISEA) is being changed to the Illinois Federation of Public Employees (IFPE). The obsolete information of these tables is being deleted.
- 6) Will this proposed rule replace an emergency rule currently in effect?
- No.
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐
If "yes", please specify date:
- 8) Do these proposed amendments contain any incorporations by reference?
- No.
- 9) Are there any proposed amendments pending to this part? Yes
- | Section Numbers | Proposed Action | Ill. Reg. Citation |
|-----------------|-----------------|------------------------------------|
| 310.290 | Amended | 17 Ill. Reg. 191 (January 8, 1993) |
| 310. Appendix C | Amended | 17 Ill. Reg. 191 (January 8, 1993) |

10) Statement of Statewide Objectives:

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

12) Initial Regulatory Flexibility Analysis:A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

The Department of Central Management Services' Pay Plan does not affect private businesses. Amendments made to the Pay Plan are not subject to any guidelines or regulations of the Department of Commerce and Community Affairs.

B) Types of small businesses affected:

None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

C) Reporting, bookkeeping or other procedures required for compliance:

None.

D) Types of professional skills necessary for compliance:

None.

The full text of the proposed amendment(s) begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
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| 310.20 | Jurisdiction |
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| 310.40 | Definitions |
| 310.50 | Conversion of Base Salary to Pay Period Units |
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| 310.150 | effective July 1, 1984 (Repealed) |

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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| 310.450 | Procedures for Determining Annual Merit Increases |
| 310.455 | Intermittent Merit Increase |
| 310.456 | Merit Zone |
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a.2) [20 ILCS 415/8a.2].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 22, 1986; emergency amendment at 11 Ill. Reg. 3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8949, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective June 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 509, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; amended at 17 Ill. Reg. _____, effective _____.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.210 Prevailing Rate

The rate of pay for each class and locality certified as being correct by the Director of Labor and approved by the Director of Central Management Services; or, as established under "An Act regulating wages of laborers, mechanics, and other workmen employed in any public work by the state, county, or city or any public body or any political subdivision or by anyone under contract for public works", approved June 26, 1941, as amended (111. Rev. Stat. 1981 1991, ch. 48, par. 39(s)-1) [820 ILCS 130/11]. The following are prevailing rate classes:

| | |
|---|-----------------------|
| Baker | Painter |
| Barber | Plasterer |
| Beautician | Plumber |
| Brickmason | Roofer |
| Carpenter | Sewage Plant Operator |
| Carpenter Foreman | Sign Hanger |
| Cement Finisher | Sign Hanger Foreman |
| Electrician | Sign Painter |
| Highway Construction Equipment Operator | Sign Painter Helper |
| Laborer | Stationary Engineer |
| Laborer (Building) | Stationary Fireman |
| Machinist | Steamfitter |
| Maintenance Worker (Power Plant) | Teacher of Barbering |
| Motion Picture Operator | Tinsmith |
| | Water Plant Operator |

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections

As provided in P.A. B3-0941 and subject to Section Ba(2) of the Personnel Code (Ill. Rev. Stat., 1989 1991, ch. 127, par. 63b108a(2) 63b108a.2) 120 ILCS 415/Ba.21, the State Board of Elections shall determine the annual compensation of its Executive Director and Assistant Executive Director consistent with the following:

| Executive Director | Annual Salary | |
|--|--|--|
| | Equivalent to Salary Range MC-15 as set forth in 310. Appendix D | |
| Assistant Executive Director | Equivalent to Salary Range MC-13 as set forth in 310. Appendix D | |
| (Source: Amended at 17 Ill. Reg. _____, effective _____) | | |

Section 310. Appendix A Negotiated Rates of Pay
TABLE G RC-045 (Automotive Mechanics, ISEA IFPE)

A) Departments of Central Management Services and Transportation - Northeast Region - (Cook)

| | Mo. | July 1, 1991 | July 1, 1992 |
|-------------------------------|------|--------------|--------------|
| Auto & Body Repairer | 2609 | 2674 | 2674 |
| Automotive Attendant | 1439 | 1549 | 1549 |
| Automotive Mechanic | 2609 | 2674 | 2674 |
| Automotive Mechanic's Helper | 2414 | 2474 | 2474 |
| Automotive Parts Warehouse I | 2448 | 2509 | 2509 |
| Automotive Parts Warehouse II | 2503 | 2566 | 2566 |
| *Storekeeper I | 2456 | 2517 | 2517 |
| *Storekeeper II | 2505 | 2568 | 2568 |

| | Mo. | Jan. 1, 1993 | July 1, 1993 |
|-------------------------------|------|--------------|--------------|
| Auto & Body Repairer | 2727 | 2863 | 2863 |
| Automotive Attendant | 1580 | 1659 | 1659 |
| Automotive Mechanic | 2727 | 2863 | 2863 |
| Automotive Mechanic's Helper | 2523 | 2649 | 2649 |
| Automotive Parts Warehouse I | 2559 | 2687 | 2687 |
| Automotive Parts Warehouse II | 2617 | 2748 | 2748 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

*Storekeeper I 2567 2695
*Storekeeper II 2619 2750

*Serving as Automotive Parts Warehousemen in Cook County.

B) Departments of Agriculture, Central Management Services, Conservation, Corrections and Transportation - (All Other Counties Except Cook)

| | Mo. | July 1, 1991 | July 1, 1992 |
|--------------------------------|------|--------------|--------------|
| Auto & Body Repairer | 2581 | 2646 | 2646 |
| Automotive Attendant | 1439 | 1549 | 1549 |
| Automotive Mechanic | 2581 | 2646 | 2646 |
| Automotive Mechanic's Helper | 2297 | 2354 | 2354 |
| Automotive Parts Warehouse I | 2303 | 2361 | 2361 |
| Automotive Parts Warehouse II | 2499 | 2561 | 2561 |
| Automotive Parts Warehouse III | 2554 | 2618 | 2618 |
| Small Engine Mechanic | 2208 | 2263 | 2263 |

| | Mo. | Jan. 1, 1993 | July 1, 1993 |
|--------------------------------|------|--------------|--------------|
| Auto & Body Repairer | 2699 | 2834 | 2834 |
| Automotive Attendant | 1580 | 1659 | 1659 |
| Automotive Mechanic | 2699 | 2834 | 2834 |
| Automotive Mechanic's Helper | 2401 | 2521 | 2521 |
| Automotive Parts Warehouse I | 2408 | 2528 | 2528 |
| Automotive Parts Warehouse II | 2612 | 2743 | 2743 |
| Automotive Parts Warehouse III | 2670 | 2804 | 2804 |
| Small Engine Mechanic | 2308 | 2423 | 2423 |

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 310. Appendix A Negotiated Rates of Pay

TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, ISEA IFPE)

Effective: July 1, 1992

| | Mo. | Jan. 1, 1993 | July 1, 1993 |
|---------------------------------------|------|--------------|--------------|
| AGRICULTURAL-PRODUCTS-PROMOTER | 1760 | 1834 | 1904 |
| ANIMAL-&-ANIMAL-PRODUCTS INVESTIGATOR | 1925 | 2009 | 2093 |
| ANIMAL-HEALTH-INSPECTOR | 1760 | 1834 | 1904 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENTS

| | |
|--|--|
| ANIMAL WELFARE-INSPECTOR | 1760--1834--1904--1982--2055--2132--2252 |
| APIARY-INSPECTOR | 1306--1351--1394--1434--1481--1523--1601 |
| ARSON-INVESIGATOR-I | 2112--2210--2311--2407--2507--2608--2762 |
| ARSON-INVESIGATOR-II | 2335--2449--2563--2678--2789--2900--3072 |
| BREATH-ALCOHOL-ANALYSIS TECHNICIAN | 2010--2104--2195--2285--2379--2468--2615 |
| COMMERCE-COMMISSION-POLICE-OFR-I | 2112--2210--2311--2407--2507--2608--2762 |
| COMMERCE-COMMISSION-POLICE-OFR-II | 2335--2449--2563--2678--2789--2900--3072 |
| COMMODITIES-INSPECTOR | 1610--1679--1740--1807--1871--1938--2045 |
| DANGEROUS-DRUGS-COMPLIANCE OFFICER-I | 1836--1914--1996--2076--2156--2238--2365 |
| DANGEROUS-DRUGS-COMPLIANCE OFFICER-II | 2010--2104--2195--2285--2379--2468--2615 |
| DANGEROUS-DRUGS-COMPLIANCE OFFICER-III | 2112--2210--2311--2407--2507--2608--2762 |
| DRUG-COMPLIANCE-INVESIGATOR | 2904--3055--3205--3355--3510--3657--3884 |
| ENVIRONMENTAL-PROTECTION-LEGAL INVESIGATOR-I | 1610--1679--1740--1807--1871--1938--2045 |
| ENVIRONMENTAL-PROTECTION-LEGAL INVESIGATOR-II | 1760--1834--1904--1982--2055--2132--2252 |
| EXPLOSIVES-INSPECTOR-I | 1925--2009--2093--2186--2270--2358--2494 |
| EXPLOSIVES-INSPECTOR-II | 2216--2322--2429--2531--2634--2741--2905 |
| FINGERPRINT-TECHNICIAN-I | 1493--1550--1605--1666--1720--1778--1873 |
| FINGERPRINT-TECHNICIAN-II | 1610--1679--1740--1807--1871--1938--2045 |
| FINGERPRINT-TECHNICIAN-III | 1760--1834--1904--1982--2055--2132--2252 |
| FIRE-PREVENTION-INSPECTOR-I | 2010--2104--2195--2285--2379--2468--2615 |
| FIRE-PREVENTION-INSPECTOR-II | 2335--2449--2563--2678--2789--2900--3072 |
| GUARD-I | 1331--1396--1442--1488--1532--1577--1656 |
| GUARD-II | 1493--1550--1605--1666--1720--1778--1873 |
| GUARD-III | 1680--1751--1815--1889--1959--2026--2139 |
| LICENSING-ASSISTANT | 1443--1493--1545--1598--1650--1705--1796 |
| LICENSING-INVESIGATOR-I | 1680--1751--1815--1889--1959--2026--2139 |
| LICENSING-INVESIGATOR-II | 1925--2009--2093--2186--2270--2358--2494 |
| LICENSING-INVESIGATOR-III | 2010--2104--2195--2285--2379--2468--2615 |
| LICENSING-INVESIGATOR-IV | 2216--2322--2429--2531--2634--2741--2905 |
| LIQUOR-CONTROL-SPECIAL-AGENT-I | 1836--1914--1996--2076--2156--2238--2365 |
| MOTORIST-ASSISTANCE-SPECIALIST | 1443--1493--1545--1598--1650--1705--1796 |
| PERSONAL-PROPERTY-WAREHOUSE EXAMINER | 1680--1751--1815--1889--1959--2026--2139 |
| PLANT-&PESTICIDE-SPECIALIST-I | 2010--2104--2195--2285--2379--2468--2615 |
| PLANT-&PESTICIDE-SPECIALIST-II | 2216--2322--2429--2531--2634--2741--2905 |
| PLUMBING-INSPECTOR | 2335--2449--2563--2678--2789--2900--3072 |
| POLICE-OFFICER-I | 2112--2210--2311--2407--2507--2608--2762 |
| POLICE-OFFICER-II | 2335--2449--2563--2678--2789--2900--3072 |
| POLYGRAPH-EXAMINER-I | 2335--2449--2563--2678--2789--2900--3072 |
| POLYGRAPH-EXAMINER-II | 2601--2732--2860--2996--3125--3253--3453 |
| POLYGRAPH-EXAMINER-III | 2904--3055--3205--3355--3510--3657--3884 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENTS

| | |
|--|--|
| PRODUCTS-&STANDARDS-INSPECTOR | 1760--1834--1904--1982--2055--2132--2252 |
| SECURITY-OFFICER | 1760--1834--1904--1982--2055--2132--2252 |
| SECURITY-OFFICER-SERGEANT | 1836--1914--1996--2076--2156--2238--2365 |
| SEED-ANALYST-I | 1680--1751--1815--1889--1959--2026--2139 |
| SEED-ANALYST-II | 1760--1834--1904--1982--2055--2132--2252 |
| STE-SECURITY-OFFICER | 1493--1550--1605--1666--1720--1778--1873 |
| TRUCK-WEIGHING-INSPECTOR | 1550--1608--1671--1730--1795--1857--1953 |
| VEHICLE-EMISSIONS-COMPLIANCE INSPECTOR | 1760--1834--1904--1982--2055--2132--2252 |
| VEHICLE-TESTING-COMPLIANCE OFFICER | 2010--2104--2195--2285--2379--2468--2615 |
| VEHICLE-TESTING-STATION-INSPECTOR | 1760--1834--1904--1982--2055--2132--2252 |
| VITAL-RECORDS-QUALITY-CONTROL INSPECTOR | 1760--1834--1904--1982--2055--2132--2252 |
| WAREHOUSE-CLAIMS-SPECIALIST | 2462--2587--2709--2833--2953--3077--3264 |
| WAREHOUSE-EXAMINER-I | 1760--1834--1904--1982--2055--2132--2252 |
| WAREHOUSE-EXAMINER-II | 2010--2104--2195--2285--2379--2468--2615 |
| WAREHOUSE-EXAMINER-III | 2216--2322--2429--2531--2634--2741--2905 |
| WELL-INSPECTOR-I | 1925--2009--2093--2186--2270--2358--2494 |
| WELL-INSPECTOR-II | 2216--2322--2429--2531--2634--2741--2905 |

Effective: January 1, 1993

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|------|------|------|------|------|------|------|
| AGRICULTURAL PRODUCTS PROMOTER | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| ANIMAL & ANIMAL PRODUCTS INVESTIGATOR | 1964 | 2049 | 2135 | 2230 | 2315 | 2405 | 2544 |
| ANIMAL HEALTH INSPECTOR | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| ANIMAL WELFARE INSPECTOR | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| APIARY INSPECTOR | 1332 | 1378 | 1422 | 1463 | 1511 | 1553 | 1633 |
| ARSON INVESTIGATOR I | 2154 | 2254 | 2357 | 2455 | 2557 | 2660 | 2817 |
| ARSON INVESTIGATOR II | 2382 | 2498 | 2614 | 2732 | 2845 | 2958 | 3133 |
| BREATH ALCOHOL ANALYSIS TECHNICIAN | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |
| COMMERCE COMMISSION POLICE OFR I | 2154 | 2254 | 2357 | 2455 | 2557 | 2660 | 2817 |
| COMMERCE COMMISSION POLICE OFR II | 2382 | 2498 | 2614 | 2732 | 2845 | 2958 | 3133 |
| COMMODITIES INSPECTOR | 1642 | 1713 | 1775 | 1843 | 1908 | 1977 | 2086 |
| DANGEROUS DRUGS COMPLIANCE OFFICER I | 1873 | 1952 | 2036 | 2118 | 2199 | 2283 | 2412 |
| DANGEROUS DRUGS COMPLIANCE OFFICER II | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |
| DANGEROUS DRUGS COMPLIANCE OFFICER III | 2154 | 2254 | 2357 | 2455 | 2557 | 2660 | 2817 |
| DRUG COMPLIANCE INVESTIGATOR | 2962 | 3116 | 3269 | 3422 | 3580 | 3730 | 3962 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENTS

| | | | | | | | |
|--|------|------|------|------|------|------|------|
| ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR I | 1642 | 1713 | 1775 | 1843 | 1908 | 1977 | 2086 |
| ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR II | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| EXPLOSIVES INSPECTOR I | 1964 | 2049 | 2135 | 2230 | 2315 | 2405 | 2544 |
| EXPLOSIVES INSPECTOR II | 2260 | 2368 | 2478 | 2582 | 2687 | 2796 | 2963 |
| FINGERPRINT TECHNICIAN I | 1523 | 1581 | 1637 | 1699 | 1754 | 1814 | 1910 |
| FINGERPRINT TECHNICIAN II | 1642 | 1713 | 1775 | 1843 | 1908 | 1977 | 2086 |
| FINGERPRINT TECHNICIAN III | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| FIRE PREVENTION INSPECTOR I | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |
| FIRE PREVENTION INSPECTOR II | 2382 | 2498 | 2614 | 2732 | 2845 | 2958 | 3133 |
| GUARD I | 1378 | 1424 | 1471 | 1518 | 1563 | 1609 | 1689 |
| GUARD II | 1523 | 1581 | 1637 | 1699 | 1754 | 1814 | 1910 |
| GUARD III | 1714 | 1786 | 1851 | 1927 | 1998 | 2067 | 2182 |
| LICENSING ASSISTANT | 1472 | 1523 | 1576 | 1630 | 1683 | 1739 | 1832 |
| LICENSING INVESTIGATOR I | 1714 | 1786 | 1851 | 1927 | 1998 | 2067 | 2182 |
| LICENSING INVESTIGATOR II | 1964 | 2049 | 2135 | 2230 | 2315 | 2405 | 2544 |
| LICENSING INVESTIGATOR III | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |
| LICENSING INVESTIGATOR IV | 2260 | 2368 | 2478 | 2582 | 2687 | 2796 | 2963 |
| LIQUOR CONTROL SPECIAL AGENT I | 1873 | 1952 | 2036 | 2118 | 2199 | 2283 | 2412 |
| MOTORIST ASSISTANCE SPECIALIST | 1472 | 1523 | 1576 | 1630 | 1683 | 1739 | 1832 |
| PERSONAL PROPERTY WAREHOUSE EXAMINER | 1714 | 1786 | 1851 | 1927 | 1998 | 2067 | 2182 |
| PLANT & PESTICIDE SPECIALIST I | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |
| PLANT & PESTICIDE SPECIALIST II | 2260 | 2368 | 2478 | 2582 | 2687 | 2796 | 2963 |
| PLUMBING INSPECTOR | 2382 | 2498 | 2614 | 2732 | 2845 | 2958 | 3133 |
| POLICE OFFICER I | 2154 | 2254 | 2357 | 2455 | 2557 | 2660 | 2817 |
| POLICE OFFICER II | 2382 | 2498 | 2614 | 2732 | 2845 | 2958 | 3133 |
| POLYGRAPH EXAMINER I | 2382 | 2498 | 2614 | 2732 | 2845 | 2958 | 3133 |
| POLYGRAPH EXAMINER II | 2653 | 2787 | 2917 | 3056 | 3188 | 3318 | 3522 |
| POLYGRAPH EXAMINER III | 2962 | 3116 | 3269 | 3422 | 3580 | 3730 | 3962 |
| PRODUCTS & STANDARDS INSPECTOR | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| SECURITY OFFICER | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| SECURITY OFFICER SERGEANT | 1873 | 1952 | 2036 | 2118 | 2199 | 2283 | 2412 |
| SEED ANALYST I | 1714 | 1786 | 1851 | 1927 | 1998 | 2067 | 2182 |
| SEED ANALYST II | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| SITE SECURITY OFFICER | 1523 | 1581 | 1637 | 1699 | 1754 | 1814 | 1910 |
| TRUCK WEIGHING INSPECTOR | 1581 | 1640 | 1704 | 1765 | 1831 | 1894 | 1992 |
| VEHICLE EMISSIONS COMPLIANCE INSPECTOR | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| VEHICLE TESTING COMPLIANCE OFFICER | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |
| VEHICLE TESTING STATION INSPECTOR | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| VITAL RECORDS QUALITY CONTROL INSPECTOR | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| WAREHOUSE CLAIMS SPECIALIST | 2511 | 2639 | 2763 | 2890 | 3012 | 3139 | 3329 |
| WAREHOUSE EXAMINER I | 1795 | 1871 | 1942 | 2022 | 2096 | 2175 | 2297 |
| WAREHOUSE EXAMINER II | 2050 | 2146 | 2239 | 2331 | 2427 | 2517 | 2667 |

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PROPOSED AMENDMENTS

| | | | | | | | |
|--|------|------|------|------|------|------|------|
| WAREHOUSE EXAMINER III | 2260 | 2368 | 2478 | 2582 | 2687 | 2796 | 2963 |
| WELL INSPECTOR I | 1964 | 2049 | 2135 | 2230 | 2315 | 2405 | 2544 |
| WELL INSPECTOR II | 2260 | 2368 | 2478 | 2582 | 2687 | 2796 | 2963 |
| Effective: July 1, 1993 | | | | | | | |
| S T E P S | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| AGRICULTURAL PRODUCTS PROMOTER | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| ANIMAL & ANIMAL PRODUCTS INVESTIGATOR | 2082 | 2151 | 2242 | 2342 | 2431 | 2525 | 2671 |
| ANIMAL HEALTH INSPECTOR | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| ANIMAL WELFARE INSPECTOR | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| APIARY INSPECTOR | 1399 | 1447 | 1493 | 1536 | 1587 | 1631 | 1715 |
| ARSON INVESTIGATOR I | 2262 | 2367 | 2475 | 2578 | 2685 | 2793 | 2958 |
| ARSON INVESTIGATOR II | 2501 | 2623 | 2745 | 2869 | 2987 | 3106 | 3290 |
| BREATH ALCOHOL ANALYSIS TECHNICIAN | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| COMMERCE COMM. POLICE OFFICER I | 2262 | 2367 | 2475 | 2578 | 2685 | 2793 | 2958 |
| COMMERCE COMM. POLICE OFFICER II | 2501 | 2623 | 2745 | 2869 | 2987 | 3106 | 3290 |
| COMMODITIES INSPECTOR | 1724 | 1799 | 1864 | 1935 | 2003 | 2076 | 2190 |
| DANGEROUS DRUGS COMPLIANCE OFFICER I | 1967 | 2050 | 2138 | 2224 | 2309 | 2397 | 2533 |
| DANGEROUS DRUGS COMPLIANCE OFFICER II | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| DANGEROUS DRUGS COMPLIANCE OFFICER III | 2262 | 2367 | 2475 | 2578 | 2685 | 2793 | 2958 |
| DRUG COMPLIANCE INVESTIGATOR | 3110 | 3272 | 3432 | 3593 | 3759 | 3917 | 4160 |
| ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR I | 1724 | 1799 | 1864 | 1935 | 2003 | 2076 | 2190 |
| ENVIRONMENTAL PROTECTION LEGAL INVESTIGATOR II | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| EXPLOSIVES INSPECTOR I | 2062 | 2151 | 2242 | 2342 | 2431 | 2525 | 2671 |
| EXPLOSIVES INSPECTOR II | 2373 | 2486 | 2602 | 2711 | 2821 | 2936 | 3111 |
| FINGERPRINT TECHNICIAN I | 1599 | 1660 | 1719 | 1784 | 1842 | 1905 | 2006 |
| FINGERPRINT TECHNICIAN II | 1724 | 1799 | 1864 | 1935 | 2003 | 2076 | 2190 |
| FINGERPRINT TECHNICIAN III | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| FIRE PREVENTION INSPECTOR I | 1967 | 2050 | 2138 | 2224 | 2309 | 2397 | 2533 |
| FIRE PREVENTION INSPECTOR II | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| GUARD I | 1447 | 1495 | 1545 | 1594 | 1641 | 1689 | 1773 |
| GUARD II | 1599 | 1660 | 1719 | 1784 | 1842 | 1905 | 2006 |
| GUARD III | 1800 | 1875 | 1944 | 2023 | 2098 | 2170 | 2291 |
| LICENSING ASSISTANT | 1546 | 1599 | 1655 | 1712 | 1767 | 1826 | 1924 |
| LICENSING INVESTIGATOR I | 1800 | 1875 | 1944 | 2023 | 2098 | 2170 | 2291 |
| LICENSING INVESTIGATOR II | 2062 | 2151 | 2242 | 2342 | 2431 | 2525 | 2671 |
| LICENSING INVESTIGATOR III | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| LICENSING INVESTIGATOR IV | 2373 | 2486 | 2602 | 2711 | 2821 | 2936 | 3111 |

NOTE:--Effective-January-1,-1992,-employees-who-have-15-years-of-service
and-have-3-or-more-years-of-creditable-service-on-Step-7-in-the
same-pay-grade-shall-receive-an-additional-\$25.00-monthly.

Effective:--July-1,-1992

S-I-E-P-S

MEAT-AND-POULTRY-INSPECTOR
TRAINEE

MEAT-AND-POULTRY-INSPECTOR

Effective: January 1, 1993

S T E P S

MEAT AND POULTRY INSPECTOR
TRAINEE

MEAT AND POULTRY INSPECTOR

Effective: July 1, 1993

S T E P S

MEAT AND POULTRY INSPECTOR
TRAINEE

MEAT AND POULTRY INSPECTOR

(Source: Amended at 17 Ill. Reg. _____, effective _____)

| | | | | | | | |
|---|------|------|------|------|------|------|------|
| LIQUOR CONTROL SPECIAL AGENT I | 1967 | 2050 | 2138 | 2224 | 2309 | 2397 | 2533 |
| MOTORIST ASSISTANCE SPECIALIST | 1546 | 1599 | 1655 | 1712 | 1767 | 1826 | 1924 |
| PERSONAL PROPERTY WAREHOUSE EXAMINER | 1800 | 1875 | 1944 | 2023 | 2098 | 2170 | 2291 |
| PLANT & PESTICIDE SPECIALIST I | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| PLANT & PESTICIDE SPECIALIST II | 2373 | 2486 | 2602 | 2711 | 2821 | 2936 | 3111 |
| PLUMBING INSPECTOR | 2501 | 2623 | 2745 | 2869 | 2987 | 3106 | 3290 |
| POLICE OFFICER I | 2262 | 2367 | 2475 | 2578 | 2685 | 2793 | 2958 |
| POLICE OFFICER II | 2501 | 2623 | 2745 | 2869 | 2987 | 3106 | 3290 |
| POLYGRAPH EXAMINER I | 2501 | 2623 | 2745 | 2869 | 2987 | 3106 | 3290 |
| POLYGRAPH EXAMINER II | 2786 | 2926 | 3063 | 3209 | 3347 | 3484 | 3698 |
| POLYGRAPH EXAMINER III | 3110 | 3272 | 3432 | 3593 | 3759 | 3917 | 4160 |
| PRODUCTS & STANDARDS INSPECTOR | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| SECURITY OFFICER | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| SECURITY OFFICER SERGEANT | 1967 | 2050 | 2138 | 2224 | 2309 | 2397 | 2533 |
| SEED ANALYST I | 1800 | 1875 | 1944 | 2023 | 2098 | 2170 | 2291 |
| SEED ANALYST II | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| SITE SECURITY OFFICER | 1599 | 1660 | 1719 | 1784 | 1842 | 1905 | 2006 |
| TRUCK WEIGHING INSPECTOR | 1660 | 1722 | 1789 | 1853 | 1923 | 1989 | 2092 |
| VEHICLE EMISSIONS COMPLIANCE INSPECTOR | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| VEHICLE TESTING COMPLIANCE OFFICER | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| VEHICLE TESTING STATION INSPECTOR | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| VITAL RECORDS QUALITY CONTROL INSPECTOR | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| WAREHOUSE CLAIMS SPECIALIST | 2637 | 2771 | 2901 | 3035 | 3163 | 3296 | 3495 |
| WAREHOUSE EXAMINER I | 1885 | 1965 | 2039 | 2123 | 2201 | 2284 | 2412 |
| WAREHOUSE EXAMINER II | 2153 | 2253 | 2351 | 2448 | 2548 | 2643 | 2800 |
| WAREHOUSE EXAMINER III | 2373 | 2486 | 2602 | 2711 | 2821 | 2936 | 3111 |
| WELL INSPECTOR I | 2062 | 2151 | 2242 | 2342 | 2431 | 2525 | 2671 |
| WELL INSPECTOR II | 2373 | 2486 | 2602 | 2711 | 2821 | 2936 | 3111 |

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 310. Appendix A Negotiated Rates of Pay
TABLE Q RC-033 (Meat Inspector, ISEA IFPE)

Effective:--July-1,-1994

S-I-E-P-S

MEAT-AND-POULTRY-INSPECTOR
TRAINEE

MEAT-AND-POULTRY-INSPECTOR

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED REPEAL

- 1) **Heading of the Part:** FINISHED WATER AND RAW WATER QUALITY AND QUANTITY
- 2) **Code Citation:** 35 Ill. Adm. Code 604
- 3) **Section Numbers:** 604.101, 604.102, 604.103
604.104, 604.105, 604.401
Proposed Action: Repeal
- 4) **Statutory Authority:** Ill. Rev. Stat. 1991, ch. 1114, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27].
- 5) **A Complete Description of the Subjects and Issues Involved:**

A more detailed description is contained in the Board's Opinion of May 5, 1993 in R93-1, which Opinion is available from the address below. Sections 7.2 and 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1114, par. 1007.2 and 1017.5 [415 ILCS 5/7.2 and 5/17.5]) provide that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

In R88-26 (14 Ill. Reg. 16517, effective September 20, 1990), as part of the Phase I Rules, the Board adopted Subpart B (Filtration and Disinfection) and Subpart L (Microbiological Monitoring and Analytical Requirements) to Part 611. This meant the repeal of most of Part 604, since those segments were inconsistent with the newer, federally-derived regulations of Part 611. However, USEPA imposed delayed effective dates as to disinfection for various suppliers, based on the supplier's raw water source. Rather than have no standards until the effective dates of the federally-derived standards, the Board chose to have certain provisions in Part 604 expire when the federally-derived standards became effective.

For this reason, the Board amended all remaining Sections in Part 604, Sections 604.101, 604.102, 604.103, 604.104, 604.105, and 604.401, so that they lost effect when the federally-derived standards of Subpart B to Part 611 became effective as to any particular supplier. Subpart B derived primarily from 40 CFR 141.70 through 141.73 and 141.75.

The latest effective dates for the newer federally-derived filtration and disinfection rules appear to run on June 29, 1993. A SWS supplier using filtration was to begin providing disinfection treatment no later than the later of June 29, 1993 or when filtration was installed. If a SWS failed to meet certain conditions, it was to have employed both filtration and disinfection by the later of June 29, 1993 or within 18 months of the failure to meet the conditions. On the face of this, only those who install filtration later than 18 months before June 29, 1993 might achieve a later compliance deadline. The Board is unaware of any suppliers that actually fall within this group. For GWSs, a GWS supplier that was found by the state to be under the direct influence of surface water was to employ disinfection by the later of June 29, 1993 or when filtration was installed. Again, the Board is unaware of any GWS suppliers that fall into this later group. Since it appears that all SWS and GWS suppliers in Illinois are required to employ disinfection by June 29, 1993, we propose the repeal of this Part.

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- 6) **Will this proposed repeal replace an emergency repeal currently in effect?** No.
- 7) **Does this rulemaking contain an automatic repeal date?** No.
- 8) **Does this proposed repeal contain incorporations by reference?** No.
- 9) **Are there any other amendments pending on this Part?** No.
- 10) **Statement of Statewide Policy Objectives:**

This rulemaking is mandated by Section 17.5 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. This rulemaking imposes mandates on units of local government to the extent they supply drinking water to at least 25 of the same persons over 6 months per year.

- 11) **Time, Place and Manner in which interested persons may comment on this proposed rulemaking:**

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R93-1 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

- 12) **Initial Regulatory Flexibility Analysis:**

A) **Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:** May 10, 1993.

B) **Types of small businesses affected:**

This rulemaking will affect only those small businesses that supply drinking water to at least 25 of the same persons over 6 months per year.

C) **Reporting, bookkeeping or other procedures required for compliance:**

The existing drinking water rules of 35 Ill. Adm. Code 611 impose significant reporting, bookkeeping, and other procedures on small businesses that supply drinking water to at least 25 of the same persons over 6 months per year. The proposed repeal will neither add to nor detract from that existing burden because the repeal will not affect the applicability of the Part 611 requirements.

D) **Types of professional skills necessary for compliance:**

Compliance with the existing rules of 35 Ill. Adm. Code 611 may require small businesses that supply drinking water to at least 25 of the same persons over 6 months per year to employ the services of an attorney, certified public accountant, chemist and registered professional engineer. The proposed repeal will

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neither add to nor detract from that existing burden because the repeal will not affect the applicability of the Part 611 requirements.

The full text of the proposed repeal begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 604
FINISHED WATER AND RAW WATER QUALITY AND QUANTITY (REPEALED)

SUBPART A: BACTERIOLOGICAL QUALITY

| | |
|---------|------------------------------|
| Section | Standard Sample |
| 604.101 | Total Coliform Limits |
| 604.102 | Total Coliform Check Samples |
| 604.103 | Bacterial Plate Count Sample |
| 604.104 | Bacterial Plate Count Limits |
| 604.105 | |

SUBPART B: CHEMICAL AND PHYSICAL QUALITY

| | |
|---------|---|
| Section | Finished Water Quality (Repealed) |
| 604.201 | Contaminants and Maximum Allowable Concentrations (Repealed) |
| 604.202 | Exceptions to Maximum Allowable Concentrations (Repealed) |
| 604.203 | Exceptions to Maximum Allowable Concentrations (Repealed) |
| 604.204 | Action Pursuant to Exceedance of Maximum Allowable Concentration (Repealed) |

SUBPART C: RADIOLOGICAL QUALITY

| | |
|---------|--|
| Section | Radium-226, -228, and Gross Alpha Particle Activity (Repealed) |
| 604.301 | Man-Made Radioactivity (Repealed) |
| 604.302 | Determining Maximum Allowable Concentrations (Repealed) |
| 604.303 | |

SUBPART D: CHLORINATION AND FLUORIDATION

| | |
|---------|--|
| Section | Chlorination Requirement |
| 604.401 | Chlorination Exemption Requirements (Repealed) |
| 604.402 | Conditions for Obtaining a Written Chlorination Exemption (Repealed) |
| 604.403 | Loss of Chlorination Exemption (Repealed) |
| 604.404 | Fluoridation Requirement (Repealed) |
| 604.405 | |

SUBPART E: RAW WATER

| | |
|---------|-------------------------------|
| Section | Raw Water Quality (Repealed) |
| 604.501 | Raw Water Quantity (Repealed) |
| 604.502 | |

APPENDIX A: References to Former Rules

AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat., 1987, ch. 111-1/2, pars. 1017 and 1027).

SOURCE: Filed with Secretary of State January 1, 1978, amended at 2 Ill. Reg. 36, p. 72, effective August 29, 1978, amended at 3 Ill. Reg. 13, p. 236, effective March 30, 1979, amended and codified at 6 Ill. Reg. 11497, effective September 14, 1982, amended at 6 Ill. Reg. 14344, effective November 3, 1982, amended in R84-12 at 14 Ill. Reg. 689, effective January 2, 1990, amended in R88-26 at 14 Ill. Reg. 16435, effective September 20, 1990, repealed in R93-1 at 17 Ill. Reg. , effective .

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~~SUBPART A—BACTERIOLOGICAL QUALITY~~~~Section 604.101—Standard Sample~~

~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611, Subpart B as applicable to each supply.~~

- ~~a) For the membrane filter technique, not less than 100 milliliters.~~
- ~~b) For the fermentation tube method, five standard portions of either ten milliliters or 100 milliliters.~~

~~(Source: Amended at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.102—Total Coliform Limits~~

~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611, Subpart B as applicable to each supply. The number of organisms of the coliform group present in potable water, as indicated by representative sample examined, shall not exceed the following limits:~~

- ~~a) When the membrane filter technique is used, arithmetic mean coliform density of all standard samples examined per month shall not exceed one per 100 milliliters. Coliform colonies per standard sample shall not exceed four per 100 milliliters in:~~
 - ~~1) more than one standard sample when less than twenty are examined per month; or~~

- ~~2) more than five percent of the standard samples when twenty or more are examined per month.~~

- ~~b) When ten milliliter standard portions are examined by the fermentation tube method, not more than ten percent in any month shall show the presence of the coliform group. The presence of the coliform group in three or more ten milliliter portions of a standard sample shall not be allowable if this occurs in:~~
 - ~~1) more than one sample per month when less than twenty are examined per month; or~~

- ~~2) more than five percent of the samples when twenty or more are examined per month.~~

- ~~e) When 100 milliliter standard portions are examined by the fermentation tube method, not more than sixty percent in any month shall show the presence of the coliform group. The presence of the coliform group in five of the 100 milliliter portions of a standard sample shall not be allowable if this occurs in:~~
 - ~~1) more than one sample per month when less than five are examined per month; or~~

- ~~2) more than twenty percent of the samples when five or more are examined per month.~~

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~~(Source: Amended at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.103—Total Coliform—Check Samples~~

~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611, Subpart B as applicable to each supply.~~

- ~~a) When coliform densities exceed the limit established in Section 604.102, they may indicate a breakdown in the protective barriers and shall be cause for special follow-up action to locate and eliminate the cause of contamination.~~

- ~~b) Check samples may be taken at the discretion of the Environmental Protection Agency (Agency) under the following conditions:~~
 - ~~1) When coliform colonies in a single standard sample exceed four per 100 milliliters, as measured by the membrane filter technique, daily samples shall be promptly collected and examined from the same sampling point until the results obtained from at least two consecutive samples show less than one coliform per 100 milliliters.~~

- ~~2) When organisms of the coliform group occur in three or more of the ten milliliter portions of a single standard sample (fermentation tube method), daily samples shall be promptly collected and examined from the same sampling point until the results obtained from at least two consecutive samples show no positive results.~~

- ~~3) When organisms of the coliform group occur in all five of the 100 milliliter portions of a single standard sample (fermentation tube method), daily samples shall be promptly collected and examined from the same sampling point until the results obtained from at least two consecutive samples show no positive tubes.~~

- ~~e) The sampling point required to be check-sampled may not be eliminated from future collections based on a history of questionable water quality. These check samples shall not be included in the total number of samples examined per month, nor shall the check samples be used as a basis for determining compliance with Section 604.103(b).~~

~~(Source: Amended at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.104—Bacterial Plate Count Sample~~

~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611, Subpart B as applicable to each supply. When bacterial plate counts are considered by the Agency to be necessary, the sample for the bacterial plate count using Standard Plate Count Agar (35-67-48 hours) shall consist of two portions of one milliliter and two portions of one-tenth milliliter.~~

~~(Source: Amended at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.105—Bacterial Plate Count Limits~~

POLLUTION CONTROL BOARD

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~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611, Subpart B as applicable to each supply.~~

a) ~~The maximum number for the bacterial plate count in the water distributed to the consumer is 500 organisms per one milliliter based on arithmetic average of all samples examined in a calendar month. In determining compliance, these data shall be reported to two significant figures.~~

b) ~~When the average bacterial plate count is found to exceed 500 organisms per one milliliter, either in portions of the distribution network or in finished water reservoir storage, the Agency shall determine if these bacterial counts require further action to be taken to protect the water consumers. Upon such findings, prompt attention shall be directed by the owner toward finding the cause and taking appropriate action for correction.~~

~~(Source: Amended at 14 Ill. Reg. 16435, effective September 20, 1990)~~

SUBPART B1—CHEMICAL AND PHYSICAL QUALITY

~~Section 604.201—Finished Water Quality (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.202—Contaminants and Maximum Allowable Concentrations (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.203—Exceptions to Maximum Allowable Concentrations (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.204—Action Pursuant to Exceedance of Maximum Allowable Concentration (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

SUBPART G1—RADIOLOGICAL QUALITY

~~Section 604.301—Radium—226, 228, and Gross Alpha Particle Activity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.302—Man-Made Radioactivity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.303—Determining Maximum Allowable Concentrations (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

SUBPART D1—CHLORINATION AND FLUORINATION

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEAL

~~Section 604.401—Chlorination Requirement~~

~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611, Subpart B as applicable to each supply. All supplies, except those community water supplies exempted pursuant to Section 17(b) of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1017(b)) shall chlorinate the water before it enters the distribution system.~~

a) ~~All supplies which are required to chlorinate shall maintain residuals of free or combined chlorine at levels sufficient to provide adequate protection.~~

b) ~~The Agency may set levels and promulgate procedures for chlorination.~~

c) ~~Those supplies having hand-pumped wells and no distribution system are exempted from the requirements of this subpart.~~

~~(Source: Amended at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.402—Chlorination Exemption Requirements (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.403—Conditions for Obtaining a Written Chlorination Exemption (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.404—Loss of Chlorination Exemption (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.405—Fluoridation Requirement (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

SUBPART E1—RAW WATER

~~Section 604.501—Raw Water Quality (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604.502—Raw Water Quantity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16435, effective September 20, 1990)~~

~~Section 604. APPENDIX A—References to Former Rules~~

~~(Source: Repealed at 14 Ill. Reg. September 20, 1990)~~

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: PRIMARY DRINKING WATER STANDARDS2) Code Citation: 35 Ill. Adm. Code 6113) Section Numbers: Proposed Action:

611.101, 611.102, 611.110 Amendment
 611.130, 611.240, 611.300 Amendment
 611.301, 611.310, 611.311 Amendment
 611.510, 611.600, 611.601 Amendment
 611.603, 611.609, 611.611 Amendment
 611.612, 611.640, 611.646 Amendment
 611.648, 611.App. A, 611.Tab. 2 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 1114, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27].5) A Complete Description of the Subjects and Issues Involved:

A more detailed description is contained in the Board's Opinion of May 5, 1993 in R93-1, which Opinion is available from the address below. Sections 7.2 and 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1114, par. 1007.2 and 1017.5 [415 ILCS 5/7.2 and 5/17.5]) provide that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates the Board's SDWA drinking water rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period July 1 through December 31, 1992. This update period particularly concerns the USEPA Phase V rules, adopted by USEPA on July 17, 1993. The Phase V rules establish new MCLs for 26 contaminants. This involves five new inorganic chemical contaminants (IOCs: antimony, beryllium, cyanide, nickel, and thallium), three new volatile organic chemical contaminants (VOCs: dichloromethane, 1,2,4-trichlorobenzene, and 1,2-trichloroethane), and 15 new synthetic organic chemical contaminants (SOCs: benzo[a]pyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorodiquat, pentachloro, oxyaryl, picloram, simazine, and 2,3,7,8-TCDD (dioxin)). Accompanying these revised MCLs are modifications to many of the monitoring requirements relating to these and the existing 48 MCLs (12 IOCs, 18 VOCs, and 18 SOCs).

6) Will these proposed amendments replace emergency amendments currently in effect? No.7) Does this rulemaking contain an automatic repeal date? No.8) Does these proposed amendments contain incorporations by reference?

Yes. Section 611.102 is the centralized location for all incorporations by reference of the documents relied upon throughout this Part. This rulemaking updates several of the incorporated documents in response to the federal amendments.

9) Are there any other amendments pending on this Part? No.

NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 17.5 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. This rulemaking imposes mandates on units of local government to the extent they supply drinking water to at least 25 of the same persons over 6 months per year.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R93-1 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board
 State of Illinois Center, Suite 11-500
 100 W. Randolph St.
 Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 10, 1993.B) Types of small businesses affected:

This rulemaking will affect only those small businesses that supply drinking water to at least 25 of the same persons over 6 months per year.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing drinking water rules impose significant reporting, bookkeeping, and other procedures on small businesses that supply drinking water to at least 25 of the same persons over 6 months per year. The proposed amendments add to that existing burden in that they increase the number of chemical contaminants for which an affected supplier of drinking water must monitor.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require small businesses that supply drinking water to at least 25 of the same persons over 6 months per year to employ the services of an attorney, certified public accountant, chemist and registered professional engineer.

The full text of the proposed amendments being on the next page.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611
PRIMARY DRINKING WATER STANDARDS

SUBPART A: GENERAL

| | |
|---------|---|
| Section | Purpose, Scope and Applicability |
| 611.100 | Definitions |
| 611.101 | Incorporations by Reference |
| 611.102 | Severability |
| 611.103 | Agency Inspection of PWS Facilities |
| 611.107 | Delegation to Local Government |
| 611.108 | Enforcement |
| 611.109 | Special Exception Permits |
| 611.110 | Section 1415 Variances |
| 611.111 | Section 1416 Variances |
| 611.112 | Alternative Treatment Techniques |
| 611.113 | Siting requirements |
| 611.114 | Source Water Quantity |
| 611.115 | Effective dates |
| 611.120 | Maximum Contaminant Levels |
| 611.121 | Fluoridation Requirement |
| 611.125 | Prohibition on Use of Lead |
| 611.126 | Special Requirements for Certain Variances and Adjusted Standards |

SUBPART B: FILTRATION AND DISINFECTION

| | |
|---------|---|
| Section | Requiring a Demonstration |
| 611.201 | Procedures for Agency Determinations |
| 611.202 | Filtration Required |
| 611.211 | Groundwater under Direct Influence of Surface Water |
| 611.212 | No Method of HPC Analysis |
| 611.213 | General Requirements |
| 611.220 | Filtration Effective Dates |
| 611.230 | Source Water Quality Conditions |
| 611.231 | Site-specific Conditions |
| 611.232 | Treatment Technique Violations |
| 611.233 | Disinfection |
| 611.240 | Unfiltered PWSs |
| 611.241 | Filtered PWSs |
| 611.242 | Filtration |
| 611.250 | Unfiltered PWSs: Reporting and Recordkeeping |
| 611.261 | Filtered PWSs: Reporting and Recordkeeping |
| 611.262 | Protection during Repair Work |
| 611.271 | Disinfection following Repair |
| 611.272 | |

SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

| | |
|---------|--|
| Section | Point-of-Entry Devices |
| 611.280 | Use of Point-of-Use Devices or Bottled Water |
| 611.290 | |

SUBPART D: TREATMENT TECHNIQUES

| | |
|---------|--------------------------------|
| Section | General Requirements |
| 611.295 | Acrylamide and Epichlorohydrin |
| 611.296 | |

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NOTICE OF PROPOSED AMENDMENTS

611.297 Corrosion Control

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL's)

| | |
|---------|--|
| Section | Old MCLs for Inorganic Chemicals |
| 611.300 | Revised MCLs for Inorganic Chemicals |
| 611.301 | Old MCLs for Organic Chemicals |
| 611.310 | Revised MCLs for Organic Chemicals |
| 611.311 | Turbidity |
| 611.320 | Microbiological Contaminants |
| 611.325 | Radium and Gross Alpha Particle Activity |
| 611.330 | Beta Particle and Photon Radioactivity |
| 611.331 | |

SUBPART G: LEAD AND COPPER

| | |
|---------|--|
| Section | General Requirements |
| 611.350 | Applicability of Corrosion Control |
| 611.351 | Corrosion Control Treatment |
| 611.352 | Source Water Treatment |
| 611.353 | Lead Service Line Replacement |
| 611.354 | Public Education and Supplemental Monitoring |
| 611.355 | Tap Water Monitoring for Lead and Copper |
| 611.356 | Monitoring for Water Quality Parameters |
| 611.357 | Monitoring for Lead and Copper in Source Water |
| 611.358 | Analytical Methods |
| 611.359 | Reporting |
| 611.360 | Recordkeeping |
| 611.361 | |

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

| | |
|---------|---|
| Section | Alternative Analytical Techniques |
| 611.480 | Certified Laboratories |
| 611.490 | Laboratory Testing Equipment |
| 611.491 | Consecutive PWSs |
| 611.500 | Special Monitoring for Unregulated Contaminants |
| 611.510 | |

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

| | |
|---------|--|
| Section | Routine Coliform Monitoring |
| 611.521 | Repeat Coliform Monitoring |
| 611.522 | Invalidation of Total Coliform Samples |
| 611.523 | Sanitary Surveys |
| 611.524 | Fecal Coliform and E. Coli Testing |
| 611.525 | Analytical Methodology |
| 611.526 | Response to Violation |
| 611.527 | Analytical Requirements |
| 611.531 | Unfiltered PWSs |
| 611.532 | Filtered PWSs |
| 611.533 | |

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

| | |
|---------|-----------|
| Section | Turbidity |
| 611.560 | |

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

| | |
|---------|-------------------------------|
| Section | Violation of State MCL |
| 611.591 | Frequency of State Monitoring |
| 611.592 | |

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611.600 Applicability
 611.601 Monitoring Frequency
 611.602 Asbestos Monitoring Frequency
 611.603 Inorganic Monitoring Frequency
 611.604 Nitrate Monitoring
 611.605 Nitrite Monitoring
 611.606 Confirmation Samples
 611.607 More Frequent Monitoring and Confirmation Sampling
 611.608 Additional Optional Monitoring
 611.609 Averaging
 611.610 Inorganic Monitoring Times
 611.611 Inorganic Analysis
 611.612 Monitoring Requirements for Old Inorganic MCLs
 611.630 Special Monitoring for Sodium
 611.631 Special Monitoring for Inorganic Chemicals

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section
 611.640 Definitions
 611.641 Old MCLs
 611.645 Analytical Methods for Old MCLs
 611.646 Phase I, and Phase II, and Phase V Volatile Organic Contaminants
 611.647 Sampling for Phase I Volatile Organic Contaminants
 611.648 Phase II, Phase III, and Phase V Synthetic Organic Contaminants
 611.650 Monitoring for 36 Contaminants (Repealed)
 611.657 Analytical Methods for 36 Contaminants (Repealed)
 611.658 Special Monitoring for Organic Chemicals

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section
 611.680 Sampling, Analytical and other Requirements
 611.683 Reduced Monitoring Frequency
 611.684 Averaging
 611.685 Analytical Methods
 611.686 Modification to System

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS.

Section
 611.720 Analytical Methods
 611.731 Gross Alpha
 611.732 Manmade Radioactivity

SUBPART T: REPORTING, PUBLIC NOTIFICATION AND RECORDKEEPING

Section
 611.830 Applicability
 611.831 Monthly Operating Report
 611.832 Notice by Agency
 611.833 Cross Connection Reporting
 611.840 Reporting
 611.851 Reporting MCL and other Violations
 611.852 Reporting other Violations
 611.853 Notice to New Billing Units
 611.854 General Content of Public Notice
 611.855 Mandatory Health Effects Language
 611.856 Fluoride Notice
 611.858 Fluoride Secondary Standard
 611.860 Record Maintenance
 611.870 List of 36 Contaminants

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

611. Appendix A Mandatory Health Effects Information
 611. Appendix B Percent Inactivation of G. lamblia Cysts
 611. Appendix C Common Names of Organic Chemicals
 611. Appendix D Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Escherichia Coli from Drinking Water
 611. Appendix E Mandatory Lead Public Education Information
 611. Appendix F Total Coliform Monitoring Frequency
 611. Appendix G Fecal or Total Coliform Density Measurements
 611. Appendix H Frequency of RDC Measurement
 611. Appendix I Number of Lead and Copper Monitoring Sites
 611. Appendix J Lead and Copper Monitoring Start Dates
 611. Appendix K Number of Water Quality Parameter Sampling Sites
 611. Appendix L Summary of Monitoring Requirements for Water Quality Parameters
 611. Appendix M Federal Effective Dates

AUTHORITY: Implementing Sections 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27]).

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. _____, effective _____.

Note: Capitalization denotes statutory language.

SUBPART A: GENERAL

Section 611.101 Definitions

As used in this Part, the term:

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111, pars. 1001 et seq. [415 ILCS 5/1 et seq.])

"Agency" means the Illinois Environmental Protection Agency.
 BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs", including non-transient, non-community water supplies ("NTNCWSs"), and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Ai" means "inactivation ratio".

"Approved source of bottled water", for the purposes of Section 611.130(e)(4), means a source of water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply, or any other source, that has been inspected and the water sampled, analyzed, and found to be a safe and sanitary quality according to applicable laws and regulations of State and local government agencies having jurisdiction, as evidenced by the presence in the plant of current certificates or notations

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of approval from each government agency or agencies having jurisdiction over the source, the water it bottles, and the distribution of the water in commerce.

BOARD NOTE: Derived from 40 CFR 142.62(g)(2) and 21 CFR 129.3(a) (1992). The Board cannot compile an exhaustive listing of all federal, state, and local laws to which bottled water and bottling water may be subjected. However, the statutes and regulations of which the Board is aware are the following: the Illinois Food, Drug and Cosmetic Act (410 ILCS 620/1 et seq., formerly Ill. Rev. Stat. 1991 ch. 56½, par. 501 et seq.), the Bottled Water Act (815 ILCS 310/1 et seq., formerly Ill. Rev. Stat. 1991 ch. 111½, par. 121.101), the DPH Water Well Construction Code (77 Ill. Adm. Code 920), the DPH Water Well Pump Installation Code (77 Ill. Adm. Code 925), the federal bottled water quality standards (21 CFR 103.35), the federal drinking water processing and bottling standards (21 CFR 129), the federal Good Manufacturing Practices for human foods (21 CFR 110), the federal Fair Packaging and Labeling Act (15 U.S.C. §§ 1451 et seq.), and the federal Fair Packaging and Labeling regulations (21 CFR 201).

"Best available technology" or "BAT" means the best technology, treatment techniques or other means that USEPA has found are available for the contaminant in question. BAT is specified in Subpart F of this Part.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Board" means the Illinois Pollution Control Board.

"CAS No" means "Chemical Abstracts Services Number".

"CT" or "CT₉₀" is the product of "residual disinfectant concentration" (RDC or C) in mg/L determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectants at more than one point prior to the first customer, it shall determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio". In determining the total inactivation ratio, the supplier shall determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). (See "CT₉₀".)

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"CT₉₀" is the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT₉₀ for a variety of disinfectants and conditions appear in Tables 1.1-1.6, 2.1 and 3.1 of Section 611-Appendix B. (See "Inactivation Ratio".)

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1992).

"Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Community Water System" or "CWS" means a public water system

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(PWS) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

BOARD NOTE: Derived from 40 CFR 141.2 (1992). This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar cycle begins January 1, 1993, and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993, to December 31, 1995; the second from January 1, 1996, to December 31, 1998; the third from January 1, 1999, to December 31, 2001.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation and filtration resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which:

A precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

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"Disinfectant contact time" or "T" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at where RDC is measured.

Where more than one RDC is measured, T is:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point to the RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

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"Filtration" means a process for removing particulate matter from water by passage through porous media.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"GC" means "gas chromatography" or "gas-liquid phase chromatography".

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Groundwater under the direct influence of surface water" is as determined in Section 611.212.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"GWS" means "groundwater system", a public water supply (PWS) that uses only groundwater sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) & 141.24(f)(2) note (1992).

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"HPC" means "heterotrophic plate count", measured as specified in Section 611.531(c).

"Inactivation Ratio" (Ai) means:

$$A_i = CT_{calc}/CT_{99.9}$$

The sum of the inactivation ratios, or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence:

$$B = \sum(A_i)$$

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of Giardia lamblia cysts.

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1992).

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"Initial compliance period" means the three-year compliance period that begins January 1, 1993, except for the MCLs for dichloromethane, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, benzofalpyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endosulf, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, 2,3,7,8-TCDD, antimony, beryllium, cyanide, nickel, and thallium as they apply to suppliers whose supplies have fewer than 150 service connections, for which it means the three-year compliance period that begins on January 1, 1996.

BOARD NOTE: Derived from 40 CFR 141.2 (1992), as amended at 57 Fed. Reg. 31838 (July 17, 1992).

"L" means "liter".

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure, NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Maximum contaminant level" ("MCL") means the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. See Section 611.121.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Maximum Total Trihalomethane Potential" or "MTP" means the maximum concentration of total trihalomethanes (THMs) produced in a given water containing a disinfectant residual after 7 days at a temperature of 25° C or above.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"MFL" means millions of fibers per liter larger than 10 micrometers.

BOARD NOTE: Derived from 40 CFR 141.23(a)(4)(1) (1992).

"mg" means milligrams (1/1000th of a gram).

"mg/L" means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1992).

"MUG" means 4-methyl-umbelliferyl-beta-D-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the public water system (PWS) treatment facility, as measured by water transport time within the distribution system.

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BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"nm" means nanometer (1/1,000,000,000th of a meter).

"Non-community water system" or "NCWS" or "non-CWS" means a public water system (PWS) that is not a community water system (CWS).
BOARD NOTE: Derived from the definition of "public water system" in 40 CFR 141.2 (1992).

"Non-transient non-community water system" or "NTNCWS" means a public water system (PWS) that is not a community water system (CWS) and that regularly serves at least 25 of the same persons over 6 months per year.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"NPDWR" means "national primary drinking water regulation".

"NTU" means "nephelometric turbidity units".

"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional state requirements".

BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O of this Part, differs from this definition in that that definition does not include the Section 611.300 inorganic MCLs.

"P-A Coliform Test" means "Presence-Absence Coliform Test".

"Performance evaluation sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency; or, for bacteriological laboratories, Public Health; or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Person" means an individual, corporation, company, association, partnership, State, unit of local government or federal agency.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 8, 1987, at 52 Fed. Reg. 25712.

"Phase II" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on January 30, 1991, at 56 Fed. Reg. 3578.

"Phase IIB" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Phase V" refers to that group of chemical contaminants

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promulgated by USPPA on July 17, 1992, at 56 Fed. Reg. 31776.

"PicoCurie" or "pci" means the quantity of radioactive material producing 2.22 nuclear transformations per minute.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Point-of-entry treatment device" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Point-of-use treatment device" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Public Health" means the Illinois Department of Public Health.
BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs"), including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs"). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Public water system" or "PWS" means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS). Such term includes:

Any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system, and;

Any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to determine the qualitative condition of water from an individual sampling point or source. The Agency shall base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of analytical results to variation, and other vulnerability factors pertinent to the contaminant detected that may influence the quality of water.

BOARD NOTE: Derived from 40 CFR 141.23(b)(9), 141.24(f)(11)(ii), and 141.24(f)(11)(iii) (1992).

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"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Repeat compliance period" means a compliance period that begins after the initial compliance period.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/L in a representative sample of water. For purposes of the requirement of Section 611.241(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 U.S.C. 300f et seq.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Sanitary survey" means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system (PWS) for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"SEP" means special exception permit (Section 611.110).

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological mechanisms.
BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"SOC" or "Synthetic organic chemical contaminant" refers to that group of contaminants designated as "SOCs", or "synthetic organic chemicals" or "synthetic organic contaminants", in USEPA regulatory discussions and guidance documents. "SOCs" include alachlor, aldicarb, aldicarb sulfone, aldicarb sulfide, atrazine, benzotolalpyrene, carbofuran, chlordane, dalapon, dibromomethylene (ethylene dibromide or EDB), dibromochloropropane (DBCP), di(2-ethylhexyl)phosphate, di(2-ethylhexyl)phthalate, dinoseb, dieldrin, endosulfan, endrin, glyphosate, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, oxamyl, pentachlorophenol, picloram, simazine, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, 2,3,7,8-TCDD, and 2,4,5-TP.

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"Source" means a well, reservoir, or other source of raw water.

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "Official custodian".

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"SWS" means "surface water system", a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water".

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1992).

"System with a single service connection" means a system that supplies drinking water to consumers via a single service line.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Total trihalomethanes" or "TTHM" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/L), rounded to two significant figures.

BOARD NOTE: Derived from the definition of "total trihalomethanes" in 40 CFR 141.2 (1992). See the definition of THMs for a listing of the four compounds that USEPA considers THMs to comprise.

"Transient, non-community water system" or "transient non-CWS" or "TNCWS" means a public water system (PWS) that is neither a community water system ("CWS") nor a non-transient, noncommunity water system ("NTNCWS").

BOARD NOTE: The federal regulations apply to all "public water systems", which are defined as all systems having at least 15 service connections or regularly serving water to at least 25 persons. See 42 U.S.C. §300f(4). The Act mandates that the Board and the Agency regulate "public water supplies", which it defines as having at least 15 service connections or regularly serving 25 persons daily at least 60 days per year. See Ill. Rev. Stat. 1991 ch. 1114, par. 1003.28 [415 ILCS 5/3.28]. The Department of Public Health regulates transient non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a "point of use" or "point of entry treatment device" as defined in this Section. "Treatment" includes, but is not limited to aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

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"Trihalomethanes" or "THM" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THMs are:

Trichloromethane (chloroform),

Dibromochloromethane,

Bromodichloromethane and

Tribromomethane (bromoform)

BOARD NOTE: Derived from the definitions of "total trihalomethanes" and "trihalomethanes" in 40 CFR 141.2 (1992).

"µg" means micrograms (1/1,000,000th of a gram).

"USEPA" means the U.S. Environmental Protection Agency.

"Virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

"VOC" or "volatile organic chemical contaminant" refers to that group of contaminants designated as "VOCs", or "volatile organic chemicals" or "volatile organic contaminants", in USEPA regulatory discussions and guidance documents. "VOCs" include benzene, trichloroethane, tetrachloromethane (carbon tetrachloride), chloroform, 1,1-dichloroethylene, 1,1,1-trichloroethane (methyl chloroform), 1,1-dichloroethylene, 1,2-dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, 1,2,4-trichlorobenzene, 1,1,2-trichloroethane, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) that is deficient in treatment, as determined by the appropriate local or State agency.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Wellhead Protection Program" means the wellhead protection program for the State of Illinois, approved by USEPA under Section 1428 of the SDWA.

BOARD NOTE: Derived from 40 CFR 141.71(b) (1992). The wellhead protection program will include the "groundwater protection needs assessment" under Section 17.1 of the Act, and regulations to be adopted in 35 Ill. Adm. Code 615 et seq.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.102 Incorporations by Reference

a) Abbreviations. The following abbreviated names are used in this Part to refer to materials incorporated by reference:

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"AEPA-1 Polymer" is available from Advanced Polymer Systems.

~~"Asbestos Method" means "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.~~

"ASTM" means American Society for Testing and Materials

"Atomic Absorption-Platform Furnace Method" or "AA-Platform Furnace Method" means "Determination of Trace Elements by Stabilized Temperature Graphite Furnace Atomic Absorption Spectrometry -- Method 200.9"

"Indigo method" is as described in "Standard Methods", 17th Edition, Method 4500-O, B.

"Inductively Coupled Plasma-Mass Spectrometry Method" or "ICP-MS Method" means "Determination of Trace Elements in Water and Wastes by Inductively-Coupled Plasma-Mass Spectrometry -- Method 200.8"

"Inductively Coupled Plasma Method 200.7" or "ICP Method 200.7" means "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with appendix". See 40 CFR 136, Appendix C.

"Inductively Coupled Plasma Method 200.7, Rev. 3.2" or "ICP Method 200.7, Rev. 3.2" means "Determination of Metals and Trace Elements in Water and Wastes by Inductively Coupled Plasma-Atomic Emission Spectrometry -- Method 200.7, Revision 3.2". See 40 CFR 136, Appendix C.

"Ion Chromatography Method 300.0" means "Determination of Inorganic Ions in Water by Ion Chromatography -- Method 300.0"

"Microbiological Methods" means "Microbiological Methods for Monitoring the Environment, Water and Wastes", available from NTIS.

"MMO-MUG Test" means "minimal medium ortho-nitrophenyl-beta-D-galactopyranoside-4-methyl-umbelliferyl-beta-D-glucuronide test", available from EnviroNetics, Inc.

"NCRP" means "National Council on Radiation Protection".

"NTIS" means "National Technical Information Service".

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", available from NTIS.

"Standard Methods", means "Standard Methods for the Examination of Water and Wastewater", available from the American Waterworks Association.

"Technicon Methods" means "Fluoride in Water and Wastewater", available from Technicon.

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"USEPA Asbestos Methods" means "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.

"USEPA Dioxin and Furan Method 1613" means "Tetra- through Octa- Chlorinated Dioxins and Furans by Isotope Dilution, available from USEPA-OST.

"USEPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples", available from NTIS.

"USEPA Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes", available from NTIS and ORD Publications.

"USEPA Ion Chromatography Method 300.0" means "Method 300.0, Determination of Inorganic Anions in Water by Ion Chromatography", available from USEPA-EMSL.

"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water", September, 1986, available from NTIS and USEPA-EMSL, for the purposes of Section 611.647 only, and "Methods for the Determination of Organic Compounds in Drinking Water", December, 1988, available from NTIS and ORD Publications, for the purposes of Sections 611.646 and 611.648.

"USGS Method" means "United States Geological Survey Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", available from USGS.

b) The Board incorporates the following publications by reference:

Access Analytical Systems, Inc., See EnviroNetics, Inc.

ASTM. American Society for Testing and Materials, 1976 Race Street, Philadelphia, PA 19103 215/299-5585:

ASTM Method D511-88A and B, "Standard Test Methods for Calcium and Magnesium in Water", approved 1988.

ASTM Method D515-88A, "Standard Test Methods for Phosphorus in Water", approved 1988.

ASTM Method D858-88, "Standard Test Methods for Manganese in Water", approved August 19, 1988.

ASTM Method D859-88, "Standard Test Method for Silica in Water", approved 1988.

ASTM Method 1067-88B, "Standard Test Methods for Acidity or Alkalinity in Water", approved 1988).

ASTM Method D1125-82B, "Standard Test Methods for Electrical Conductivity and Resistivity of Water", approved October 29, 1982.

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ASTM Method D1179-72A or B "Standard Test Methods for Fluoride in Water", approved July 28, 1972, reapproved 1978.

ASTM Method D1293-84B "Standard Test Methods for pH of Water", approved October 26, 1984.

ASTM Method D1428-64, "Standard Test Methods for Sodium and Potassium in Water and Water-Formed Deposits by Flame Photometry", approved August 31, 1964, reapproved 1977.

ASTM Method D1688-90A or C, "Standard Test Methods for Copper in Water", approved 1990.

~~ASTM Method D1899-88A, "Standard Test Method for Turbidity of Water", approved June 24, 1988.~~

ASTM Method D2036-89A or B, "Standard Test Methods for Cyanide in Water", approved 1989.

ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water," 1975, reapproved 1981, discontinued 1988.

ASTM Method D2907-83, "Standard Test Methods for Microquantities of Uranium in Water by Fluorometry", approved May 27, 1983.

ASTM Method D2972-88A or B, "Standard Test Methods for Arsenic in Water", approved 1988.

ASTM Method D3223-86, "Standard Test Method for Total Mercury in Water", approved February 28, 1986.

ASTM Method D3559-85D, "Standard Test Methods for Lead in Water", approved 1985.

ASTM Method D3645-84B, "Standard Test Methods for Beryllium in Water. Method B--Atomic Absorption. Graphite Furnace", approved Jan. 27, 1984.

ASTM Method D3697-87, "Standard Test Method for Antimony in Water", approved 1987.

ASTM Method D3859-88, "Standard Test Methods for Selenium in Water", approved June 24, 1988.

ASTM Method D3867-90, "Standard Test Methods for Nitrite-Nitrate in Water", approved January 10, 1990.

ASTM Method 4327-88, "Standard Test Method for Anions in Water by Ion Chromatography", approved 1988.

American Waterworks Association et al., 6666 West Quincy Ave., Denver, CO 80235 (303) 794-7711:

Standard Methods for the Examination of Water and

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Wastewater, 13th Edition, 1971.

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended and Dissolved).

Method 303, Total Radioactive Strontium and Strontium 90 in Water.

Method 304, Radium in Water by Precipitation.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended and Total).

Method 306, Tritium in Water.

Standard Methods for the Examination of Water and Wastewater, 14th Edition, 1976.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units (for the purposes of Section 611.560 turbidity only).

Methods 320 and 320A, Sodium, Flame Photometric Method.

~~Method 412B, Cyanide, Colorimetric Method.~~

Standard Methods for the Examination of Water and Wastewater, 16th Edition, 1985.

Method 212, Temperature.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units (for the purposes of Section 611.631 microbiological only).

Method 303A, Determination of Antimony, etc. by Direct Aspiration into an Air-Acetylene Flame.

~~Method 303G, Determination of Aluminum, etc., by Direct Aspiration into a Nitrous-Oxide-Acetylene Flame.~~

Method 303E, Determination of Arsenic and Selenium by Conversion to Their Hydrides by Sodium Borohydride Reagent and Aspiration into an Atomic Absorption Atomizer.

~~Method 303F, Determination of Mercury by the Cold Vapor Technique.~~

Method 304, Determination of Micro Quantities of Aluminum, etc. by Electrothermal Atomic Absorption Spectrometry.

Method 307A, Arsenic, Atomic Absorption Spectrophotometric Method.

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Method 307B, Arsenic, Silver Diethyldithiocarbamate Method.

Method 408C, Chlorine (Residual), Amperometric Titration Method.

Method 408D, Chlorine (Residual), DPD Ferrous Titrimetric Method.

Method 408E, Chlorine (Residual), DPD Colorimetric Method.

Method 408F, Chlorine (Residual), Leuco Crystal Violet Method.

Method 410B, Chlorine Dioxide, Amperometric Method.

Method 410C, Chlorine Dioxide, DPD Method (Tentative).

~~Method 412D, Cyanide, Colorimetric Method.~~

Method 413A, Fluoride, Preliminary Distillation Step.

Method 413B, Fluoride, Electrode Method.

Method 413C, Fluoride, SPADNS Method.

Method 413E, Fluoride, Complexone Method.

~~Method 418G, Nitrogen (Nitrate), Cadmium Reduction Method.~~

~~Method 418F, Nitrogen (Nitrate), Automated Cadmium Reduction Method.~~

Method 423, pH Value.

Method 907A, Pour Plate Method.

Method 908, Multiple Tube Fermentation Technique for Members of the Coliform Group.

Method 908A, Standard Coliform Multiple-Tube (MPN) Tests.

Method 908B, Application of Tests to Routine Examinations.

Method 908C, Fecal Coliform MPN Procedure.

Method 908D, Estimation of Bacterial Density.

Method 908E, Presence-Absence (P-A) Coliform Test (Tentative).

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Method 909, Membrane Filter Technique for Members of the Coliform Group.

Method 909A, Standard Total Coliform Membrane Filter Procedure.

Method 909B, Delayed Incubation Total Coliform Procedure.

Method 909C, Fecal Coliform Membrane Filter Procedure.

Standard Methods for the Examination of Water and Wastewater, 17th Edition, 1989.

Method 2320, Alkalinity.

Method 2510, Conductivity.

Method 2550, Temperature.

Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method.

Method 3113, Metals by Electrothermal Atomic Absorption Spectrometry.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method.

Method 3120, Metals by Plasma Emission Spectroscopy.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method.

Method 4110, Determination of Anions by Ion Chromatography.

Method 4500-CN D, Cyanide, Titrimetric Method.

Method 4500-CN E, Cyanide, Colorimetric Method.

Method 4500-CN F, Cyanide, Cyanide-Selective

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Electrode Method.

Method 4500-CN G. Cyanide, Cyanides Amenable to Chlorination after Distillation.

Method 4500-H*, pH Value.

Method 4500-NO₃-E. Nitrogen (Nitrate), Cadmium Reduction Method.

Method 4500-NO₃-F. Nitrogen (Nitrate), Automated Cadmium Reduction Method.

Method 4500-O₃, Ozone (Residual), Indigo Colorimetric Method (Proposed).

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method.

Method 4500-Si D, Silica, Molybdosilicate Method.

Method 4500-Si E, Silica, Heteropoly Blue Method.

Method 4500-Si F, Silica, Automated method for Molybdate-Reactive Silica.

Advanced Polymer Systems, 3696 Haven Avenue, Redwood City, CA 94063 415/ 366-2626:

AEPA-1 Polymer. See 40 CFR 141.22(a). Also, as referenced in ASTM D1889.

Environetetics, Inc., 21 Business Park Drive, Branford, CT 06405 800/321-0207:

MMO-MUG tests: Colilert P/A or Colilert MPN.

ERDA Health and Safety Laboratory, New York, NY:

HASL Procedure Manual, HASL 300, 1973. See 40 CFR 141.25(b)(2).

Millipore Corporation, Waters Chromatography Division, 34 Maple St., Milford, MA 01757 800/252-4752:

Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography, Method B-1011.

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301) 657-2652:

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

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NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. (703) 487-4600 or (800) 336-4700:

Analytical Method for Determination of Asbestos Fibers in Water, EPA-600/4-83-043, September, 1983, Doc. No. PB83-260471.

"Methods of ~~for~~ Chemical Analysis of Water and Wastes". ~~J. Kepp and D. McGeer, Third Edition, March, 1979. EPA-600/4-79-020, Doc. No. PB84-297686.~~

"Methods for Chemical Analysis of Water and Wastes", March, 1983, Doc. No. PB84-128677, for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, Doc. No. PB84-128677, only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for the Determination of Metals in Environmental Samples", 1991, Doc. No. PB91-231498.

"Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water" EPA/600/4-88/039, September, 1986, Doc. No. PB89-220461. (For the purposes of Section 611.647 only.)

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, December, 1988, Doc. No. PB89-220461. (For the purposes of Sections 611.646 and 611.648 only; including Method 515.1, revision 5.0 and Method 525.1, revision 3.0 (May, 1991).)

"Microbiological Methods for Monitoring the Environment: Water and Wastes", R. Bodner and J. Winter, 1978. EPA-600/8-78-017, Doc. No. PB90-329/LP.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", H.L. Krieger and S. Gold, EPA-R4-73-014, May, 1973, Doc. No. PB222-154/7BA.

ORD Publications, CERL, EPA, Cincinnati, OH 45268:

"Methods for Chemical Analysis of Water and Wastes", March, 1983, (EPA-600/4-79-020), for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, (EPA-600/4-79-020), only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2

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(sodium, Section 611.630).

"Methods for the Determination of Organic Compounds in Drinking Water" EPA/600/4-88/039, December, 1988, Doc. Nos. PB91-231480 and PB91-146027. (For the purposes of Section 611.646 only.) See NTIS.

Orion Research, Inc., 529 Main St., Boston, MA 02129
800/225-1480:

Orion Guide to Water and Wastewater Analysis, Form W6W6/5880, p. 5.

Technicon Industrial Systems, Tarrytown, NY 10591:

"Fluoride in Water and Wastewater", Industrial Method #129-71W, December, 1972 See 40 CFR 141.23(f)(10), footnotes 6 and 7.

"Fluoride in Water and Wastewater", #380-75WE, February, 1976. See 40 CFR 141.23(f)(10), footnotes 6 and 7.

United States Environmental Protection Agency, EMSL, EPA, Cincinnati, OH 45268:

"The Analysis of Trihalomethanes in Drinking Waters by the Purge and Trap Method", Method 501.1. See 40 CFR 141, Subpart C, Appendix C.

"The Analysis of Trihalomethanes in Drinking Water by Liquid/Liquid Extraction," Method 501.2. See 40 CFR 141, Subpart C, Appendix C.

"Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with Appendix to Method 200.7" entitled, "Inductively Coupled Plasma-Atomic Emission Analysis of Drinking Water" (Appendix 200.7A), March 1987 (EPA/600/4-91/010). See 40 CFR 136, Appendix C.

"Interim Radiochemical Methodology for Drinking Water", EPA-600/4-75-008 (Revised) March, 1976.

"Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water", September, 1986. (For the purposes of Section 611.647 only). See NTIS.

"Methods of for Chemical Analysis of Water and Wastes". See NTIS and ORD Publications.

Microbiological Methods for Monitoring the Environment, Water and Wastes". See NTIS

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions". See NTIS.

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USEPA-OST (United States Environmental Protection Agency, Office of Science and Technology), P.O. Box 1407, Arlington, VA 22313:

"Tetra- through Octa- Chlorinated Dioxins and Furans by Isotope Dilution".

United States Environmental Protection Agency, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington D.C. 20460:

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", October, 1989.

USGS. United States Geological Survey, 1961 Stout St., Denver, CO 80294 303/844-4169:

Techniques of Water-Resources Investigation of the United States Geological Survey:

Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", 3d ed., Open-File Report 85-495, 1989.

c) The Board incorporates the following federal regulations by reference:

40 CFR 136, Appendix B and C (1992).

40-CFR-141-22(a) (1992)-

40-CFR-141-23(f)(10), footnotes 6 and 7 (1992)-

40-CFR-141-24(e), footnote 6 (1992)-

40-CFR-141-25(b)(2) (1992)-

40 CFR 141, Subpart C, Appendix C (1992).

40-CFR-142, Subpart G (1992)-

d) This Part incorporates no ~~future~~ later amendments or editions.

(Source: Amended at 17 Ill. Reg. _____, effective _____)
Section 611.110 Special Exception Permits

a) Unless otherwise specified, each Agency determination in this Part is to be made by way of a written permit pursuant to Section 39(a) of the Act. Such permit is titled a "special exception" permit ("SEP").

b) No person shall cause or allow the violation of any condition of a SEP.

c) The supplier may appeal the denial of or the conditions of a SEP

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to the Board pursuant to Section 40 of the Act.

d) A SEP may be initiated either:

- 1) By an application filed by the supplier; or
- 2) By the Agency, when authorized by Board regulations.

BOARD NOTE: The Board does not intend to mandate by any provision of this Part that the Agency exercise its discretion and initiate a SEP pursuant to subsection (d)(2) above. Rather, the Board intends to clarify by this subsection that the Agency may opt to initiate a SEP without receiving a request from the supplier.

e) The Agency shall evaluate a request for a SEP from the monitoring requirements of Section 611.646(e) and (f) (Phase I, Phase II, and Phase V VOCs and Phase II VOCs), Section 611.646(d), only as to initial monitoring for 1,2,4-trichlorobenzene, Section 611.648(a) (for Phase II, Phase IIB, and Phase V VOCs) and Section 611.510(a) (for unregulated organic contaminants) on the basis of knowledge of previous use (including transport, storage, or disposal) of the contaminant in the watershed or zone of influence of the system, as determined pursuant to 35 Ill. Adm. Code 671:

- 1) If the Agency determines that there was no prior use of the contaminant, it shall grant the SEP, or
- 2) If the contaminant was previously used or the previous use was unknown, the Agency shall consider the following factors:

- A) Previous analytical results;
- B) The proximity of the system to any possible point source of contamination (including spills or leaks at or near a water treatment facility; at manufacturing, distribution, or storage facilities; from hazardous and municipal waste land fills; or from waste handling or treatment facilities) or non-point source of contamination (including the use of pesticides and other land application uses of the contaminant);
- C) The environmental persistence and transport of the contaminant;
- D) How well the water source is protected against contamination, including whether it is a SWS or a GWS:
 - i) A GWS must consider well depth, soil type, and well casing integrity, and
 - ii) A SWS must consider watershed protection; and
- E) For Phase II, Phase IIB, and Phase V VOCs and unregulated organic contaminants (pursuant to Section 611.631 or 611.648):
 - i) Elevated nitrate levels at the water source; and

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- ii) The use of PCBs in equipment used in the production, storage, or distribution of water (including pumps, transformers, etc.); and

F) For Phase I, Phase II, and Phase V VOCs and Phase II VOCs—(pursuant to Section 611.646): the number of persons served by the PWS and the proximity of a smaller system to a larger one.

- f) If a supplier refuses to provide any necessary additional information requested by the Agency, or if a supplier delivers any necessary information late in the Agency's deliberations on a request, the Agency may deny the requested SEP or grant the SEP with conditions within the time allowed by law.

BOARD NOTE: Subsection (e) above is derived from 40 CFR 141.24(f)(8) and (h)(6) (1992). Subsection (f) above is derived from 40 CFR 141.82(d)(2), and 141.83(b)(2) (1992). USEPA has reserved the discretion, at 40 CFR 142.18 (1992), to review and nullify Agency determinations of the types made pursuant to Sections 611.510, 611.602, 611.603, 611.646, and 611.648 and the discretion, at 40 CFR 141.82(i), 141.83(b)(7), and 142.19 (1992), to establish federal standards for any supplier, superseding any Agency determination made pursuant to Sections 611.352(d), 611.352(f), 611.353(b)(2), and 611.353(b)(4).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.130 Special Requirements for Certain Variances and Adjusted Standards

- a) Relief from the TTHM MCL.

- 1) In granting any variance or adjusted standard to a supplier that is a CWS that adds a disinfectant at any part of treatment and which provides water to 10,000 or more persons on a regular basis from the maximum contaminant level for TTHM listed in Section 611.310(c), the Board will require application of the best available technology (BAT) identified at subsection (a)(4) below for that constituent as a condition to the relief, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT is not technically appropriate and technically feasible for that system, or it would only result in a marginal reduction in TTHM for that supplier.

- 2) The Board will require the following as a condition for relief from the TTHM MCL where it does not require the application of BAT:

- A) That the supplier continue to investigate the following methods as an alternative means of significantly reducing the level of TTHM, according to a definite schedule:
 - i) introduction of off-line water storage for TTHM precursor reduction;

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- ii) aeration for TTHM reduction, where geography and climate allow;
- iii) introduction of clarification, where not presently practiced;
- iv) use of alternative sources of raw water; and
- v) use of ozone as an alternative or supplemental disinfectant or oxidant, and

B) That the supplier report results of that investigation to the Agency.

3) The Agency shall petition the Board to reconsider or modify a variance or adjusted standard, pursuant to 35 Ill. Adm. Code 101. Subpart K, if it determines that an alternative method identified by the supplier pursuant to subsection (a)(2) above is technically feasible and would result in a significant reduction in TTHM.

4) Best available technology for TTHM reduction:

- A) use of chloramines as an alternative or supplemental disinfectant,
- B) use of chlorine dioxide as an alternative or supplemental disinfectant, or
- C) improved existing clarification for TTHM precursor reduction.

BOARD NOTE: Derived from 40 CFR 142.60 (1992). The restrictions of this subsection do not apply to suppliers regulated for TTHM as an additional state requirement. See the Board Note to Section 611.301(c).

b) Relief from the fluoride MCL.

- 1) In granting any variance or adjusted standard to a supplier that is a CWS from the maximum contaminant level for fluoride listed in Section 611.301(b), the Board will require application of the best available technology (BAT) identified at subsection (b)(4) below for that constituent as a condition to the relief, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT is not technically appropriate and technically feasible for that supplier.

2) The Board will require the following as a condition for relief from the fluoride MCL where it does not require the application of BAT:

- A) That the supplier continue to investigate the following methods as an alternative means of significantly reducing the level of TTHM, according to a definite schedule:

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- i) modification of lime softening;
- ii) alum coagulation;
- iii) electrodialysis;
- iv) anion exchange resins;
- v) well field management;
- vi) use of alternative sources of raw water; and
- vii) regionalization, and

B) That the supplier report results of that investigation to the Agency.

3) The Agency shall petition the Board to reconsider or modify a variance or adjusted standard, pursuant to 35 Ill. Adm. Code 101. Subpart K, if it determines that an alternative method identified by the supplier pursuant to subsection (b)(2) above is technically feasible and would result in a significant reduction in fluoride.

4) Best available technology for fluoride reduction:

- A) activated alumina absorption centrally applied, and
- B) reverse osmosis centrally applied.

BOARD NOTE: Derived from 40 CFR 142.61 (1992).

c) Relief from an inorganic chemical contaminant, VOC, or SOC MCL.

- 1) In granting to a supplier that is a CWS or NTNCWS any variance or adjusted standard from the maximum contaminant levels for any VOC or SOC, listed in Section 611.311(a) or (c), or for any inorganic chemical contaminant, listed in Section 611.301, the supplier must have first applied the best available technology (BAT) identified at Section 611.311(b) (VOCs and SOCs) or Section 611.301(c) (inorganic chemical contaminants) for that constituent, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT would achieve only a minimal and insignificant reduction in the level of contaminant.

BOARD NOTE: USEPA lists BAT for each SOC and VOC at 40 CFR 142.62(a) (1992), as amended at 57 Fed. Reg. 31848 (July 17, 1992), for the purposes of variances and exemptions (adjusted standards). That list is identical to the list at 40 CFR 141.61(b), with three exceptions: the section 142.62 listing adds PTA ("PAT") foralachlor; lists OX for hexachlorobenzene, instead of GAC; and omits PTA for toxaphene. The Board has chosen to use the section 141.61(a) (Section 611.311) BAT listing because we believe USEPA intended consistency and because the preamble at 57 Fed. Reg. 31778-79 indicates that this listing is correct as toalachlor and

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hexachlorobenzene (although the preamble at 56 Fed. Reg. 3529 (Jan. 30, 1991) indicates that it is wrong as to toxaphene).

- 2) The Board may require any of the following as a condition for relief from a MCL listed in Section 611.301 or 611.311:
 - A) That the supplier continue to investigate alternative means of compliance according to a definite schedule, and
 - B) That the supplier report results of that investigation to the Agency.

- 3) The Agency shall petition the Board to reconsider or modify a variance or adjusted standard, pursuant to 35 Ill. Adm. Code 101.Subpart K, if it determines that an alternative method identified by the supplier pursuant to subsection (c)(2) above is technically feasible.

BOARD NOTE: Derived from 40 CFR 142.62(a) through (e) (1992).

- d) Conditions requiring use of bottled water or point-of-use or point-of-entry devices. In granting any variance or adjusted standard from the maximum contaminant levels for organic and inorganic chemicals or an adjusted standard from the treatment technique for lead and copper, the Board may impose certain conditions requiring the use of bottled water, point-of-entry devices, or point-of-use devices to avoid an unreasonable risk to health, limited as provided in subsections (e) and (f) below.
 - 1) Relief from an MCL. The Board may, when granting any variance or adjusted standard from the MCL requirements of Sections 611.301 and 611.311, impose a condition that requires a supplier to use bottled water, point-of-use devices, point-of-entry devices or other means to avoid an unreasonable risk to health.
 - 2) Relief from corrosion control treatment. The Board may, when granting an adjusted standard from the corrosion control treatment requirements for lead and copper of Sections 611.351 and 611.352, impose a condition that requires a supplier to use bottled water and point-of-use devices or other means, but not point-of-entry devices, to avoid an unreasonable risk to health.
 - 3) Relief from source water treatment or service line replacement. The Board may, when granting an exemption from the source water treatment and lead service line replacement requirements for lead and copper under Sections 611.353 or 611.354, impose a condition that requires a supplier to use point-of-entry devices to avoid an unreasonable risk to health.

BOARD NOTE: Derived from 40 CFR 142.62(f) (1992).

- e) Use of bottled water. Suppliers that propose to use or use

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bottled water as a condition for receiving a variance or an adjusted standard from the requirements of Section 611.301 or Section 611.311, or an adjusted standard from the requirements of Sections 611.351 through 611.354 must meet the requirements of either subsections (e)(1), (e)(2), (e)(3), and (e)(6) or (e)(4), (e)(5) and (e)(6) below:

- 1) The supplier must develop a monitoring program for Board approval that provides reasonable assurances that the bottled water meets all MCLs of Sections 611.301 and 611.311 and submit a description of this program as part of its petition. The proposed program must describe how the supplier will comply with each requirement of this subsection.
- 2) The supplier must monitor representative samples of the bottled water for all contaminants regulated under Sections 611.301 and 611.311 during the first three-month period that it supplies the bottled water to the public, and annually thereafter.
- 3) The supplier shall annually provide the results of the monitoring program to the Agency.
- 4) The supplier must receive a certification from the bottled water company as to each of the following:
 - A) that the bottled water supplied has been taken from an approved source of bottled water, as such is defined in Section 611.101;
 - B) that the approved source of bottled water has conducted monitoring in accordance with 21 CFR 129.80(g)(1) through (3);
 - C) and that the bottled water does not exceed any MCLs or quality limits as set out in 21 CFR 103.35, 110, and 129.
- 5) The supplier shall provide the certification required by subsection (e)(4) above to the Agency during the first quarter after it begins supplying bottled water and annually thereafter.
- 6) The supplier shall assure the provision of sufficient quantities of bottled water to every affected person supplied by the supplier via door-to-door bottled water delivery.
 - Derived from 40 CFR 142.62(g) (1992).
 - f) Use of point-of-entry devices. Before the Board grants any PWS a variance or adjusted standard from any NPDES that includes a condition requiring the use of a point-of-entry device, the supplier must demonstrate to the Board each of the following:
 - 1) that the supplier will operate and maintain the device;
 - 2) that the device provides health protection equivalent to

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- that provided by central treatment;
- 3) that the supplier will maintain the microbiological safety of the water at all times;
- 4) that the supplier has established standards for performance, conducted a rigorous engineering design review, and field tested the device;
- 5) that the operation and maintenance of the device will account for any potential for increased concentrations of heterotrophic bacteria resulting through the use of activated carbon, by backwashing, post-contactor disinfection, and heterotrophic plate count monitoring;
- 6) that buildings connected to the supplier's distribution system have sufficient devices properly installed, maintained, and monitored to assure that all consumers are protected; and
- 7) that the use of the device will not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

BOARD NOTE: Derived from 40 CFR 142.62(h) (1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART B: FILTRATION AND DISINFECTION

Section 611.240 Disinfection

- a) A supplier that uses a surface water source and does not provide filtration treatment shall provide the disinfection treatment specified in Section 611.241 beginning December 30, 1991.
- b) A supplier that uses a groundwater source under the influence of surface water and does not provide filtration treatment shall provide disinfection treatment specified in Section 611.241 beginning December 30, 1991, or 18 months after the Agency determines that the groundwater source is under the influence of surface water, whichever is later, unless the Agency has determined that filtration is required.
- c) If the Agency determines that filtration is required, the Agency may, by special exception permit, require the supplier to comply with interim disinfection requirements before filtration is installed.
- d) A system that uses a surface water source that provides filtration treatment shall provide the disinfection treatment specified in Section 611.242 beginning June 29, 1993, or beginning when filtration is installed, whichever is later.
- e) A system that uses a groundwater source under the direct influence of surface water and provides filtration treatment shall provide

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disinfection treatment as specified in Section 611.242 by June 29, 1993 or beginning when filtration is installed, whichever is later.

- f) Failure to meet any requirement of the following sections after the applicable date specified in this section is a treatment technique violation.

BOARD NOTE: Derived from 40 CFR 141.72 preamble (1992), as amended at 54 Fed. Reg. 27526, June 29, 1989.

- g) CWS suppliers using groundwater which is not under the direct influence of surface water shall provide disinfection pursuant to Section 611.241 or 611.242, unless the Agency has granted the supplier an exemption pursuant to Section 17(b) of the Act.

BOARD NOTE: This is an additional State requirement.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL'S)

Section 611.300 Old MCLs for Inorganic Chemicals

- a) The old MCLs listed in subsection (b) below for inorganic chemicals apply only to CWS suppliers. Compliance with old MCLs for inorganic chemicals is calculated pursuant to Section 611.612.

BOARD NOTE: Derived from 40 CFR 141.11(a) (1992).

- b) The following are the old MCL's for inorganic chemicals, with the old MCL for cyanide effective only until the revised MCL for cyanide at Section 611.301(a) becomes effective:

| Contaminant | Level, mg/L | Additional State Requirement (*) |
|-------------|-------------|----------------------------------|
| Arsenic | 0.05 | * |
| Cyanide | 0.2 | * |
| Iron | 1.0 | * |
| Manganese | 0.15 | * |
| Zinc | 5. | * |

BOARD NOTE: Derived from 40 CFR 141.11(b) & (c) (1992). This provision, which corresponds with 40 CFR 141.11, was formerly the only listing of MCLs for inorganic parameters. However, USEPA added another listing of inorganic MCLs at 40 CFR 141.62 at 56 Fed. Reg. 3594 (Jan. 30, 1991). Following the changing USEPA codification scheme creates two listings of MCLs: one at this section and one at Section 611.301. This causes fluoride to appear in both the 40 CFR 141.11(b) and 141.62(b) listings with the same MCL. The Board has deleted the corresponding fluoride MCL from this section in favor of that which appears at Section 611.301(b). USEPA adopted a MCL for cyanide at 40 CFR 141.62(b)(13), effective January 17, 1994, at 57 Fed. Reg. 31847 (July 17, 1992).

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That MCL is the same as that at this Section. The Board has rendered the state MCL at this Section ineffective on the date the new federal MCL becomes effective.

- c) ~~The secondary old MCL for fluoride is 2.0 mg/L.~~

~~BOARD NOTE: Derived from 40 CFR 141.11(d) (1992). This subsection corresponds with 40 CFR 141.11(c), the substance of which the Board has codified in subsection (b) above. This statement maintains structural parity with the federal rules.~~

- d) Nitrate.

- 1) The Board incorporates by reference 40 CFR 141.11(d) (1992). This incorporation includes no later editions or amendments.

- 2) Non-CWSs may exceed the MCL for nitrate to the extent authorized by 40 CFR 141.11(d).

BOARD NOTE: Derived from 40 CFR 141.11(d) (1992). Public Health regulations may impose a nitrate limitation requirement. Those regulations are at 77 Ill. Adm. Code 900.50.

- e) ~~The following supplementary condition applies to the manganese:~~

- 1) CWS suppliers that serve a population of 1000 or less, or 300 service connections or less, are exempt from the standards for iron and manganese.

- 2) The Agency may, by special exception permit, allow iron and manganese in excess of the MCL if sequestration tried on an experimental basis proves to be effective. If sequestration is not effective, positive iron or manganese reduction treatment as applicable must be provided. Experimental use of a sequestering agent may be tried only if approved by special exception permit.

BOARD NOTE: This is an additional state requirement.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.301 Revised MCLs for Inorganic Chemicals

- a) This subsection corresponds with 40 CFR 141.62(a), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

- b) The MCLs in the following table apply to CWSs. Except for fluoride, the MCLs also apply to NTNCWSs. The MCLs for nitrate, nitrite and total nitrate and nitrite also apply to transient non-CWSs. The MCLs for antimony, beryllium, cyanide, nickel, and thallium are effective January 17, 1994.

Contaminant MCL Units

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| | | |
|------------------------------------|-------|------|
| Fluoride | 4.0 | mg/L |
| Antimony | 0.006 | mg/L |
| Asbestos | 7 | MFL |
| Barium | 2 | mg/L |
| Beryllium | 0.004 | mg/L |
| Cadmium | 0.005 | mg/L |
| Chromium | 0.1 | mg/L |
| Cyanide (as free CN ⁻) | 0.2 | mg/L |
| Fluoride | 4.0 | mg/L |
| Mercury | 0.002 | mg/L |
| Nickel | 0.1 | mg/L |
| Nitrate (as N) | 10 | mg/L |
| Nitrite (as N) | 1 | mg/L |
| Total Nitrate and Nitrite (as N) | 10 | mg/L |
| Selenium | 0.05 | mg/L |
| Thallium | 0.002 | mg/L |

BOARD NOTE: See the definition of "initial compliance period" at Section 611.101.

- c) USEPA has identified the following as BAT for achieving compliance with the MCL for the inorganic contaminants identified in subsection (b) above, except for fluoride:

| Contaminant | BAT(s) |
|-------------|---|
| Antimony | C/F RO |
| Asbestos | C/F DDF CC |
| Barium | IX LIME RO ED |
| Beryllium | AA C/F IX LIME RO |
| Cadmium | C/F IX LIME RO |
| Chromium | C/F IX LIME, BAT for Cr(III) only RO |
| Cyanide | IX RO CL |

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Mercury C/F, BAT only if influent Hg concentrations less than or equal to (\leq) 10 $\mu\text{g/L}$
 GAC
 LIME, BAT only if influent Hg concentrations $\leq 10 \mu\text{g/L}$
 RO, BAT only if influent Hg concentrations $\leq 10 \mu\text{g/L}$

Nickel

IX
 LIME
 RO

Nitrate

IX
 RO
 ED

Nitrite

IX
 RO

Selenium

AAL
 C/F, BAT for Se(IV) only
 LIME
 RO
 ED

Thallium

AAL
 IX

Abbreviations

AAL Activated alumina
 C/F Coagulation/filtration
 DDF Direct and diatomite filtration
 GAC Granular activated carbon
 IX Ion exchange
 LIME Lime softening
 RO Reverse osmosis
 CC Corrosion control
 ED Electrodialysis
 Cl₂ Chlorination
 UV Ultraviolet irradiation

BOARD NOTE: Derived from 40 CFR 141.62 (1992), as amended at 57 Fed. Reg. 31847 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.310 Old MCLs for Organic Chemicals

The following are the MCLs for organic chemicals. The MCLs for organic chemicals in subsections (a) and (b) apply to all CWSs. Compliance with the MCLs in subsections (a) and (b) is calculated pursuant to Section 611.641 et seq. Compliance with the MCL for TTHM is calculated pursuant to Subpart P.

| Contaminant | Level (mg/L) | Additional State Requirement (*) |
|-------------|--------------|----------------------------------|
|-------------|--------------|----------------------------------|

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a) Chlorinated hydrocarbons:

| | | |
|--------------------|--------|---|
| Aldrin | 0.001 | * |
| DDT | 0.05 | * |
| Dieldrin | 0.001 | * |
| Endrin | 0.0002 | * |
| Heptachlor | 0.0001 | * |
| Heptachlor epoxide | 0.0001 | * |

BOARD NOTE: Originally derived from 40 CFR 141.12(a) (1991), USEPA removed the last entry in this subsection and marked it reserved at 57 Fed. Reg. 31838 (July 17, 1992). This provision, which corresponds with 40 CFR 141.12, was formerly the only listing of MCLs for organic parameters. However, USEPA added another listing of organic MCLs at 40 CFR 141.61 (1992), as amended at 567 Fed. Reg. 35933 (1847 (Jan. 30, July 17, 1992)). The USEPA codification scheme created two listings of MCLs: the counterpart to one of which appears at this Section and the other appears at Section 611.311. This also causes Heptachlor, heptachlor epoxide, and 2,4-D to appear in both this Section and in Section 611.311, with a different MCL in each Section. The heptachlor, heptachlor epoxide, and 2,4-D MCLs in this Section are Illinois limitations that are more stringent than the federal requirements. However, detection of these contaminants or violation of their federally-derived revised Section 611.311 MCLs imposes more stringent monitoring, reporting, and notice requirements.

b) Chlorophenoxys:

| | | |
|-------|------|---|
| 2,4-D | 0.01 | * |
|-------|------|---|

BOARD NOTE: Originally derived from 40 CFR 141.12(b) (1991), USEPA removed the last entry in this subsection and marked it reserved at 56 Fed. Reg. 3578 (Jan. 30, 1991). See the preceding Board Note regarding the dual listing of MCLs for 2,4-D.

c) TTHM

| | | |
|------|------|---|
| TTHM | 0.10 | * |
|------|------|---|

BOARD NOTE: Derived in part from 40 CFR 141.12(c) (1992). This is an additional State requirement to the extent it applies to supplies other than CWSs that add a disinfectant at any part of treatment and which provide water to 10,000 or more individuals.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.311 Revised MCLs for Organic Contaminants

a) Volatile organic chemical contaminants. The following MCLs for volatile organic chemical contaminants (VOCs) apply to CWS suppliers and NTNCWS suppliers. The MCLs for dichloromethane, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane are effective January 17, 1994.

| CAS No. | Contaminant | MCL (mg/L) |
|---------|-------------|------------|
|---------|-------------|------------|

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| | | |
|-----------|--------------------------------------|-------|
| 71-43-2 | Benzene | 0.005 |
| 56-23-5 | Carbon tetrachloride | 0.005 |
| 95-50-1 | o-Dichlorobenzene | 0.6 |
| 106-46-7 | p-Dichlorobenzene | 0.075 |
| 107-06-2 | 1,2-Dichloroethane | 0.005 |
| 75-35-4 | 1,1-Dichloroethene | 0.007 |
| 156-59-2 | cis-1,2-Dichloroethylene | 0.07 |
| 156-60-5 | trans-1,2-Dichloroethylene | 0.1 |
| 75-09-2 | Dichloromethane (methylene chloride) | 0.005 |
| 78-87-5 | 1,2-Dichloropropane | 0.005 |
| 100-41-4 | Ethylbenzene | 0.7 |
| 108-90-7 | Monochlorobenzene | 0.1 |
| 100-42-5 | Styrene | 0.1 |
| 127-18-4 | Tetrachloroethylene | 0.005 |
| 108-88-3 | Toluene | 1 |
| 120-82-1 | 1,2,4-Trichlorobenzene | 0.07 |
| 71-55-6 | 1,1,1-Trichloroethane | 0.2 |
| 79-00-5 | 1,1,2-Trichloroethane | 0.005 |
| 79-01-6 | Trichloroethylene | 0.005 |
| 75-01-4 | Vinyl chloride | 0.002 |
| 1330-20-7 | Xylenes (total) | 10 |

BOARD NOTE: See the definition of "initial compliance period" at Section 611.101.

- b) USEPA has identified, as indicated below, granular activated carbon (GAC), ex-packed tower aeration (PTA), or oxidation (OX) as BAT for achieving compliance with the MCLs for volatile organic chemical contaminants and synthetic organic chemical contaminants in subsections (a) and (c) of this Section.

| | | |
|------------|----------------------------|----------|
| 15972-60-8 | Alachlor | GAC |
| 116-06-3 | Aldicarb | GAC |
| 1646-87-4 | Aldicarb sulfone | GAC |
| 1646-87-3 | Aldicarb sulfoxide | GAC |
| 1912-24-9 | Atrazine | GAC |
| 71-43-2 | Benzene | GAC, PTA |
| 50-32-8 | Benzofalpyrene | GAC |
| 1563-66-2 | Carbofuran | GAC |
| 56-23-5 | Carbon tetrachloride | GAC, PTA |
| 57-74-9 | Chlordane | GAC |
| 94-75-7 | 2,4-D | GAC |
| 75-99-0 | Dalapon | GAC |
| 96-12-8 | Dibromochloropropane | GAC, PTA |
| 95-50-1 | o-Dichlorobenzene | GAC, PTA |
| 106-46-7 | p-Dichlorobenzene | GAC, PTA |
| 107-06-2 | 1,2-Dichloroethane | GAC, PTA |
| 156-59-2 | cis-1,2-Dichloroethylene | GAC, PTA |
| 156-60-5 | trans-1,2-Dichloroethylene | GAC, PTA |
| 75-35-4 | 1,1-Dichloroethylene | GAC, PTA |
| 75-09-2 | Dichloromethane | PTA |
| 78-87-5 | 1,2-Dichloropropane | GAC, PTA |
| 103-23-1 | Di(2-ethylhexyl)adipate | GAC, PTA |
| 117-81-7 | Di(2-ethylhexyl)phthalate | GAC, PTA |
| 88-85-7 | Dinoseb | GAC |
| 85-00-7 | Diquat | GAC |
| 145-73-3 | Endothall | GAC |
| 72-20-8 | Endrin | GAC |

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| | | |
|------------|---------------------------------|----------|
| 106-93-4 | Ethylene dibromide (EDB) | GAC, PTA |
| 100-41-4 | Ethylbenzene | GAC, PTA |
| 1071-53-6 | Glyphosate | OX |
| 76-44-8 | Heptachlor | GAC |
| 1024-57-3 | Heptachlor epoxide | GAC |
| 118-74-1 | Hexachlorobenzene | GAC |
| 77-47-3 | Hexachlorocyclopentadiene | GAC, PTA |
| 58-89-9 | Lindane | GAC |
| 72-43-5 | Methoxychlor | GAC |
| 108-90-7 | Monochlorobenzene | GAC, PTA |
| 23135-22-0 | Oxamyl | GAC |
| 87-86-5 | Pentachlorophenol | GAC |
| 1918-02-1 | Picloram | GAC |
| 1336-36-3 | Polychlorinated biphenyls (PCB) | GAC |
| 122-34-9 | Simazine | GAC |
| 100-42-5 | Styrene | GAC, PTA |
| 1746-01-6 | 2,3,7,8-TCDD | GAC |
| 127-18-4 | Tetrachloroethylene | GAC, PTA |
| 108-88-3 | Toluene | GAC |
| 8001-35-2 | Toxaphene | GAC, PTA |
| 120-82-1 | 1,2,4-Trichlorobenzene | GAC, PTA |
| 71-55-6 | 1,1,1-Trichloroethane | GAC, PTA |
| 79-00-5 | 1,1,2-Trichloroethane | GAC, PTA |
| 79-01-6 | Trichloroethylene | GAC, PTA |
| 108-88-3 | Toluene | GAC |
| 9001-35-2 | Toxaphene | GAC, PTA |
| 93-72-1 | 2,4,5-TP | GAC |
| 75-01-4 | Vinyl chloride | PTA |
| 1330-20-7 | Xylene | GAC, PTA |

BOARD NOTE: Examination of the preamble to the Phase II amendments, at 56 Fed. Reg. 3529 (Jan. 30, 1991) indicates that USEPA may not have intended the adoption of PTA for BAT for toxaphene. The Board included it because that is what the federal rule actually indicates. See the Board Note to Section 611.130(c)(1).

c)

Synthetic organic chemical contaminants. The following MCLs for synthetic organic chemical contaminants (SOCs) apply to CWS and NTNCS suppliers. The MCLs for benzofalpyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl (vydate), picloram, simazine, and 2,3,7,8-TCDD (dioxin) are effective January 17, 1994.

| CAS Number | Contaminant | MCL (mg/l) |
|------------|----------------------|------------|
| 15972-60-8 | Alachlor | 0.002 |
| 116-06-3 | Aldicarb | 0.003 |
| 1646-87-4 | Aldicarb sulfone | 0.002 |
| 1646-87-3 | Aldicarb sulfoxide | 0.004 |
| 1912-24-9 | Atrazine | 0.003 |
| 50-32-8 | Benzofalpyrene | 0.002 |
| 1563-66-2 | Carbofuran | 0.04 |
| 57-74-9 | Chlordane | 0.002 |
| 94-75-7 | 2,4-D | 0.07 |
| 75-99-0 | Dalapon | 0.2 |
| 96-12-8 | Dibromochloropropane | 0.0002 |

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| | | |
|------------|----------------------------------|------------|
| 103-23-1 | Dl(2-ethylhexyl)adipate | 0.4 |
| 117-81-7 | Dl(2-ethylhexyl)phthalate | 0.006 |
| 88-85-7 | Dinoseb | 0.007 |
| 85-00-7 | Diquat | 0.02 |
| 145-73-3 | Endothall | 0.1 |
| 72-20-8 | Endrin | 0.002 |
| 106-93-4 | Ethylene dibromide | 0.00005 |
| 1071-53-6 | Glyphosate | 0.7 |
| 76-44-8 | Heptachlor | 0.0004 |
| 1024-57-3 | Heptachlor epoxide | 0.0002 |
| 118-74-1 | Hexachlorobenzene | 0.001 |
| 77-47-4 | Hexachlorocyclopentadiene | 0.05 |
| 58-89-9 | Lindane | 0.0002 |
| 72-43-5 | Methoxychlor | 0.04 |
| 23135-22-0 | Oxamyl (Vydate) | 0.2 |
| 87-86-5 | Pentachlorophenol | 0.001 |
| 1318-02-1 | Picloram | 0.5 |
| 1336-36-3 | Polychlorinated biphenyls (PCBs) | 0.0005 |
| 122-34-9 | Simazine | 0.004 |
| 1746-01-6 | 2,3,7,8-TCDD (Dioxin) | 0.00000003 |
| 8001-35-2 | Toxaphene | 0.003 |
| 93-72-1 | 2,4,5-TP | 0.05 |

BOARD NOTE: Derived from 40 CFR 141.61 (1992), as amended at 57 Fed. Reg. 31847 (July 17, 1992). See the definition of "initial compliance period" at Section 611.101. More stringent state MCLs for 2,4-D, heptachlor, and heptachlor epoxide appear at Section 611.310. See the Board Note at that provision. The effectiveness of the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfide are administratively stayed until the Board takes further administrative action to end this stay. However, suppliers must monitor for these three SOCs pursuant to Section 611.648. See 40 CFR 141.6(g) (1992) and 57 Fed. Reg. 22178 (May 27, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.510 Special Monitoring for Unregulated Contaminants

Monitoring of the unregulated inorganic contaminants listed in subsection (k) below and the unregulated inorganic contaminants listed in subsection (l) below shall be conducted as follows:

- Each CWS and NTMCWS supplier shall take four consecutive quarterly samples at each sampling point for each contaminant listed in subsection (k) below and report the results to the Agency. Monitoring must be completed by December 31, 1995.
- Each CWS and NTMCWS supplier shall take one sample at each sampling point for each contaminant listed in subsection (l) below and report the results to the Agency. Monitoring must be completed by December 31, 1995.
- Each CWS and NTMCWS supplier may apply to the Agency for a SEP

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pursuant to Section 611.110 that releases it from any of the requirements of subsections (a) and (b) above.

- d) The Agency shall grant a SEP pursuant to Section 611.110 as follows:

- From any requirement of subsection (a) above based on consideration of the factors set forth at Section 611.110(e), and
 - From any requirement of subsection (b) above if previous analytical results indicate contamination would not occur, provided this data was collected after January 1, 1990.
- e) A CWS supplier shall take a minimum of one sample at every entry point to the distribution system that is representative of each well after treatment ("sampling point").
- f) A SWS or mixed system supplier shall take a minimum of one sample at points in the distribution system that are representative of each source or at each entry point to the system after treatment ("sampling point").

- g) If the system draws water from more than one source and sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions (when water representative of all sources is being used).

- h) The Agency may issue a SEP pursuant to Section 610.110 to require a supplier to use a confirmation sample for results that it finds dubious for whatever reason. The Agency must state its reasons for issuing the SEP if the SEP is Agency-initiated.

- i) Suppliers shall take samples at the same sampling point unless the Agency has granted a SEP allowing another sampling point because conditions make another sampling point more representative of the water from each source or treatment plant.

BOARD NOTE: Subsection (i) above corresponds with duplicate segments of 40 CFR 141.40(n)(5) and (n)(6) (1991), which correspond with subsections (e) and (f) above. The Board has adopted no counterpart to 40 CFR 141.40(n)(9), an optional provision that pertains to composite sampling. Otherwise, the structure of this Section directly corresponds with 40 CFR 141.40(n) (1991).

- j) Instead of performing the monitoring required by this Section, a CWS and NTMCWS supplier serving fewer than 150 service connections may send a letter to the Agency stating that the PWS is available for sampling. This letter must be sent to the Agency by January 1, 1994. The supplier shall not send such samples to the Agency, unless requested to do so by the Agency.

- k) List of unregulated organic contaminants:

USEPA Organic Methods

Contaminant

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[illegible]

1) List of unregulated inorganic contaminants:

| Contaminant | USEPA Inorganic Methods |
|-------------|--|
| Antimony | Graphite-Turnace-Acemic-Absorption Inductively-Coupled-Plasma |
| Beryllium | Graphite-Turnace-Acemic-Absorption Inductively-Coupled-Neas Spectrophotometry |
| Nickel | Spectrophotometry Acemic-Absorption-Inductively Coupled-Plasma-Graphite-Turnace Acemic-Absorption |
| Sulfate | Colorimetric |
| Thallium | Graphite-Turnace-Acemic-Absorption Inductively-Coupled-Neas Spectrophotometry |
| Cyanide | Spectrophotometry |

BOARD NOTE: Derived from 40 CFR 141.40(n) (199±2), as amended at 57 Fed. Reg. 31846 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.600 Applicability

The following types of suppliers shall conduct monitoring to determine compliance with the old MCLs in Section 611.300 and the revised MCLs in 611.301, as appropriate, in accordance with this Subpart:

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| | | | |
|----------|-------|---|--------|
| Cadmium | 0.005 | (using a 2x preconcentration step; a lower MDL is possible using 4x preconcentration) | 0.0003 |
| | | Inductively-coupled plasma-mass spectrometry | 0.0001 |
| Chromium | 0.1 | Atomic absorption-furnace technique | 0.001 |
| | | Inductively-coupled plasma-fusing concentration technique in Appendix 200.7A to USEPA Inorganic Method 200.7) | 0.001 |
| | | Atomic absorption-furnace technique | 0.001 |
| | | Inductively-coupled plasma | 0.007 |
| Cyanide | 0.2 | Inductively-coupled plasma-fusing concentration technique in Appendix A to USEPA Inorganic Method 200.7) | 0.001 |
| | | Distillation, spectrophotometric (screening method for total cyanides) | 0.02 |
| | | Automated distillation, spectrophotometric (screening method for total cyanides) | 0.005 |
| Mercury | 0.002 | Distillation, selective electrode (screening method for total cyanides) | 0.05 |
| | | Distillation, amenable, spectrophotometric (for free cyanides) | 0.02 |
| | | Manual cold vapor technique | 0.0002 |
| Nickel | 0.1 | Automated cold vapor technique | 0.0002 |
| | | Atomic absorption-furnace technique | 0.001 |
| | | Atomic absorption-furnace technique (stabilized) | 0.0006 |

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| | | | |
|-------------------|--|--|--------|
| Nitrate (as N) 10 | | temperature) | |
| | | Inductively-coupled plasma (using a 2x preconcentration step; a lower MDL is possible using 4x preconcentration) | 0.005 |
| | | Inductively-coupled plasma-mass spectrometry | 0.0005 |
| | | Manual cadmium reduction | 0.01 |
| Nitrite (as N) 1 | | Automated hydrazine reduction | 0.01 |
| | | Automated cadmium reduction | 0.05 |
| | | Ion-selective electrode | 1 |
| | | Ion chromatography | 0.01 |
| Selenium 0.05 | | Spectrophotometric | 0.01 |
| | | Automated cadmium reduction | 0.05 |
| | | Manual cadmium reduction | 0.01 |
| | | Ion chromatography | 0.004 |
| Thallium 0.002 | | Atomic absorption-furnace technique | 0.002 |
| | | Atomic absorption-gaseous hydride technique | 0.002 |
| | | Atomic absorption-furnace technique | 0.002 |
| | | Atomic absorption-furnace technique (stabilized temperature) | 0.0007 |
| | | Inductively-coupled plasma-mass spectrometry | 0.0003 |

BOARD NOTE: Derived from 40 CFR 141.23 preamble and paragraph (a)(4)(i) (1991), as amended at 57 Fed. Reg. 31838-39 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.601 Monitoring Frequency

Monitoring shall be conducted as follows:

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a) Required sampling.

- 1) Each supplier shall take a minimum of one sample at each sampling point at the times required by Section 611.610 beginning January 17, 1993 in the initial compliance period.
- 2) Each sampling point must produce samples that are representative of the water from each source after treatment or from each treatment plant, as required by subsection (b) below. The total number of sampling points must be representative of the water delivered to users throughout the PWS.
- 3) The supplier shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant and the Agency has granted a SEP pursuant to subsection (b)(5) below.

b) Sampling points.

- 1) Sampling points for CWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.
- 2) Sampling points for SWSS and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall take at least one sample from each of the following points:
 - A) Each entry point after the application of treatment; or
 - B) A point in the distribution system that is representative of each source after treatment.
- 3) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.
- 4) Additional sampling points. The Agency shall, by SEP, designate additional sampling points in the distribution system or at the consumer's tap if it determines that such samples are necessary to more accurately determine consumer exposure.
- 5) Alternative sampling points. The Agency shall, by SEP, approve alternate sampling points if the supplier demonstrates that the points are more representative than the generally required point.

- c) This subsection corresponds with 40 CFR 141.23(a)(4), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

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d) The frequency of monitoring for the following contaminants must be in accordance with the following Sections:

- 1) Asbestos: Section 611.602;
- 2) Antimony, Barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, ~~and nickel~~, selenium, and thallium: Section 611.603;
- 3) Nitrate: Section 611.604; and
- 4) Nitrite: Section 611.605.

BOARD NOTE: Derived from 40 CFR 141.23(a) (1991) and 40 CFR 141.23(c), as amended at 57 Fed. Reg. 31839 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.603 Inorganic Monitoring Frequency

The frequency of monitoring conducted to determine compliance with the revised MCLs in Section 611.301 for antimony, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, ~~and nickel~~, selenium, and thallium is as follows:

- a) Suppliers shall take samples at each sampling point, beginning January 17, 1993 in the initial compliance period, as follows:
 - 1) For CWSs: at least one sample ~~during each compliance period~~ every three years;
 - 2) For SWSS and mixed systems: at least one sample each year.

BOARD NOTE: Derived from 40 CFR 141.23(c)(1) (1991), as amended at 57 Fed. Reg. 31839 (July 17, 1992).
- b) SEP Application. The supplier may apply to the Agency for a SEP that allows reduction from the monitoring frequencies specified in subsection (a) above pursuant to subsections (d) through (f) below and Section 611.110.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(2) and (c)(6) (1991).
- c) SEP Procedures. The Agency shall review the request pursuant to the SEP procedures of Section 611.110 based on consideration of the factors in subsection (e) below.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(6) (1991).
- d) Standard for SEP reduction in monitoring. The Agency shall grant a SEP that allows a reduction in the monitoring frequency if the supplier demonstrates that all previous analytical results were less than the MCL, provided the supplier meets the following minimum data requirements:
 - 1) For GWS suppliers: a minimum of three rounds of monitoring.
 - 2) For SWS and mixed system suppliers: annual monitoring for at least three years.

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- 3) At least one sample must have been taken since January 1, 1990.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(4) (1991).

- e) Standard for SEP monitoring conditions. As a condition of any SEP, the Agency shall require that the supplier take a minimum of one sample during the term of the SEP. In determining the appropriate reduced monitoring frequency, the Agency shall consider:

- 1) Reported concentrations from all previous monitoring;
- 2) The degree of variation in reported concentrations; and
- 3) Other factors may affect contaminant concentrations, such as changes in groundwater pumping rates, changes in the CWSs configuration, the CWS's operating procedures, or changes in stream flows or characteristics.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(3) and (c)(5) (1991).

- f) SEP Conditions and Revision.

- 1) A SEP will expire at the end of the compliance cycle for which it was issued.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(3) (1991).

- 2) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. A SEP must provide that the Agency will review and, where appropriate, revise its determination of the appropriate monitoring frequency when the supplier submits new monitoring data or when other data relevant to the supplier's appropriate monitoring frequency become available.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(6) (1991).

- g) A supplier that exceeds the MCL for barium, cadmium, chromium, fluoride, mercury, or selenium, as determined in Section 611.609, shall monitor quarterly for that contaminant, beginning in the next quarter after the violation occurred.

BOARD NOTE: Derived from 40 CFR 141.23(c)(7) (1991).

- h) Reduction of quarterly monitoring.

- 1) The Agency shall grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to that specified by subsection (a) above if it determines that the sampling point is reliable and consistently below the MCL.

- 2) A request for a SEP must include the following minimal information:

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- A) For a GWS: two quarterly samples.

- B) For an SWS or mixed system: four quarterly samples.

- 3) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring for any contaminant pursuant to subsection (g) above if it violates the MCL specified by Section 611.609 for that contaminant.

BOARD NOTE: Derived from 40 CFR 141.23(c)(8) (1991).

(Source: Amended at 17 Ill. Reg. _____, effective _____)
Section 611.609 Averaging

Compliance with the MCLs of Sections 611.300 or 611.301 (as appropriate) must be determined based on the analytical result(s) obtained at each sampling point.

- a) For suppliers that monitor at a frequency greater than annual, compliance with the MCLs for antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, manganickel, selenium, and thallium is determined by a running annual average at each sampling point.

- 1) If the average at any sampling point is greater than the MCL, then the supplier is out of compliance.

- 2) If any one sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.

- 3) Any sample below the method detection limit must be calculated at zero for the purpose of determining the annual average.

BOARD NOTE: The "method detection limit" is different from the "detection limit", as set forth in Section 611.600. The "method detection limit" is the level of contaminant that can be determined by a particular method with a 95 percent degree of confidence, as determined by the method outlined in 40 CFR 136, appendix B, incorporated by reference at Section 611.102.

- b) For suppliers that monitor annually or less frequently, compliance with the MCLs for antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, manganickel, selenium, and thallium is determined by the level of the contaminant at any sampling point. If a confirmation sample is taken, the determination of compliance will be based on the average of the two samples.

- c) Compliance with the MCLs for nitrate and nitrite is determined based on one sample if the levels of these contaminants are below

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the MCLs. If the levels of nitrate or nitrite exceed the MCLs in the initial sample, Section 611.606 requires confirmation sampling, and compliance is determined based on the average of the initial and confirmation samples.

- d) When the portion of the distribution system that is out of compliance is separable from other parts of the distribution system and has no interconnections, the supplier may give the public notice required by Subpart 1 only to persons served by that portion of the distribution system not in compliance.

BOARD NOTE: Derived from 40 CFR 141.23(i) (1991), as amended at 57 Fed. Reg. 31839 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.611 Inorganic Analysis

Analytical methods are from documents incorporated by reference in Section 611.102. These are mostly referenced by a short name defined by Section 611.102(a). Other abbreviations are defined in Section 611.101.

- a) Analysis for antimony, asbestos, beryllium, barium, cadmium, chromium, cyanide, mercury, nickel, nitrate, nitrite, and selenium, and thallium pursuant to Sections 611.600 through 611.604 must be conducted using the following methods. For approved analytical techniques for metals and selenium, the technique applicable to total metals must be used. For methods marked with an asterisk (*), the procedure of subsection (f) below must be used for preservation, measurement of turbidity, and digestion.

1) Antimony:

- A) Atomic absorption, furnace technique*:

i) USEPA Inorganic Methods: Method 204.2, or

ii) Standard Methods: Method 3113;

- B) Atomic absorption, platform furnace technique*: USEPA Environmental Metals Methods: Method 220.9;

C) Inductively-coupled plasma-mass spectrometry*: USEPA Environmental Metals Methods: Method 200.8; or

D) Atomic absorption, gaseous hydride technique, using the digestion technique set forth in the method: ASTM Method D3697-87.

- 12) Asbestos: Transmission electron microscopy: USEPA Asbestos Methods.

23) Barium:

- A) Atomic absorption, furnace technique*:

i) USEPA Inorganic Methods: Method 208.2, or

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- ii) Standard Methods: Method 3043113B;

B) Atomic absorption, direct aspiration technique*:

i) USEPA Inorganic Methods: Method 208.1, or

ii) Standard Methods: Method 30363111D; or

C) Inductively-coupled plasma arc furnace*:

i) Inductively-coupled plasma-Mass spectrometry*: USEPA Environmental Metals Methods: Method 200.7, or supplemented by Method 200.7A, or

ii) Standard Methods: Method 3120.

4) Beryllium:

- A) Atomic absorption, furnace technique*:

i) USEPA Inorganic Methods: Method 210.2,

ii) ASTM Method D3645-84B, or

iii) Standard Methods: Method 3113;

B) Atomic absorption, platform furnace technique*: USEPA Environmental Metals Methods: Method 200.9;

C) Inductively-coupled plasma arc furnace*:

i) USEPA Environmental Metals Methods: Method 200.7, or

ii) Standard Methods: Method 3120; or

D) Inductively-coupled plasma-Mass spectrometry*: USEPA Environmental Metals Methods: Method 200.8.

25) Cadmium:

- A) Atomic absorption, furnace technique*:

i) USEPA Inorganic Methods: Method 213.2, or

ii) Standard Methods: Method 3043113B; or

B) Inductively-coupled plasma arc furnace*:
~~Inductively-coupled plasma-Mass spectrometry*: USEPA Environmental Metals Methods*, Method 200.7, as supplemented by Method 200.7A.~~

46) Chromium:

- A) Atomic absorption, furnace technique*:

i) USEPA Inorganic Methods: Method 218.2, or

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ii) Standard Methods: Method 304 (the addition of 1 ml of 30% hydrogen peroxide to each 100 ml of standards and samples is required before analysis.) 3113B, or

B) Inductively-coupled plasma arc furnace*¹

i) Inductively-coupled plasma Method USEPA Environmental Metals Methods: Method 200.7.7 as supplemented by Method 200.7.7A, or

ii) Standard Methods: Method 3120.

Z) Cyanide:

A) Distillation, spectrophotometric:

i) USEPA Inorganic Methods: Method 335.2.

ii) ASTM Method D2036-89A.

iii) Standard Methods: Method 4500-CN D, or

iv) USGS Methods: Method I-3300-85;

B) Automated distillation, spectrophotometric:

i) USEPA Inorganic Methods: Method 335.3, or

ii) Standard Methods: Method 4500-CN E;

C) Distillation, selective electrode:

i) ASTM Method D2036-89A, or

ii) Standard Methods: Method 4500-CN F; or

D) Distillation, amenable, spectrophotometric:

i) USEPA Inorganic Methods: Method 335.1.

ii) ASTM Method D2036-89B, or

iii) Standard Methods: Method 4500-CN G.

5) Mercury:

A) Manual cold vapor technique, using the digestion technique set forth in the method:

i) USEPA Inorganic Methods: Method 245.1,

ii) ASTM D3223-86, or

iii) Standard Methods: Method 303F3112B; or

B) Automated cold vapor technique, using the digestion technique set forth in the method: USEPA Inorganic

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Methods: Method 245.2.

9) Nickel:

A) Atomic absorption, furnace technique*¹

i) USEPA Inorganic Methods: Method 249.2, or

ii) Standard Methods: Method 3113;

B) Atomic absorption, platform furnace technique*¹: USEPA Environmental Metals Methods: Method 200.9;

C) Atomic absorption, direct aspiration technique*¹

i) USEPA Inorganic Methods: Method 249.1, or

ii) Standard Methods: Method 3111B;

D) Inductively-coupled plasma*¹

i) USEPA Environmental Metals Methods: Method 200.7, or

ii) Standard Methods: Method 3120; or

E) Inductively-coupled plasma-mass spectrometry*¹: USEPA Environmental Metals Methods: Method 200.8.

6) Nitrate:

A) Manual cadmium reduction:

i) USEPA Inorganic Methods: Method 353.3,

ii) ASTM D3867-90, or

iii) Standard Methods: Method 4184500-NO₃-E;

B) Automated hydrazine reduction: USEPA Inorganic Methods: Method 353.1;

C) Automated cadmium reduction:

i) USEPA Inorganic Methods: Method 353.2,

ii) ASTM D3867-90, or

iii) Standard Methods: Method 4184500-NO₃-F;

D) Ion selective electrode: WewWG/5880, available from Orion Research; or

E) Ion chromatography:

i) USEPA Inorganic Ion Chromatography Method*¹ Method 300.0, or

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ii) B-1011, available from Millipore Corporation.

711) Nitrite:

A) Spectrophotometric: USEPA Inorganic Methods: Method 354.1;

B) Automated cadmium reduction:

i) USEPA Inorganic Methods: Method 353.2,

ii) ASTM D3867-90, or

iii) Standard Methods: Method 4100-4500-NO₂-F;

C) Manual cadmium reduction:

i) USEPA Inorganic Methods: Method 353.3,

ii) ASTM D3867-90, or

iii) Standard Methods: Method 4100-4500-NO₂-E.

D) Ion chromatography:

i) USEPA Inorganic Ion Chromatography Method 300.0, or

ii) Method B-1011, available from Millipore Corporation.

912) Selenium:

A) Atomic absorption, gaseous hydride, using the digestion technique set forth in the method:

i) ASTM D3859-88A, or

ii) Standard Methods: Method 3114B; or

B) Atomic absorption, graphite furnace technique*, adding 2mL of 30% hydrogen peroxide (H₂O₂) and an appropriate concentration of nickel nitrate hexahydrate (Ni(NO₃)₆H₂O) to the samples as a matrix modifier:

i) USEPA Inorganic Methods: Method 270.2,

ii) ASTM D3859-88B, or

iii) Standard Methods: Method 2043113B (Prior to distillation of the selenium calibration standard, add 2 mL of 30% hydrogen peroxide for each 100 mL of standard).

131) Thallium:

A) Atomic absorption, furnace technique, using the digestion technique set forth in the method:

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i) USEPA Inorganic Methods: Method 279.2, or

ii) Standard Methods: Method 3113;

B) Atomic absorption platform furnace technique, using the digestion technique set forth in the method:

USEPA Environmental Metals Methods: Method 200.9; or

C) Inductively-coupled plasma-mass spectrometry: USEPA Environmental Metals Methods: Method 200.8.

BOARD NOTE: Derived from 40 CFR 141.23(k)(1) (1992) and 40 CFR 141.23 (k)(4), as added at 57 Fed. Reg. 31839-40 (July 17, 1992). In promulgating the Phase V rules, USEPA creates a new table of analytical methods at 40 CFR 141.23(k)(4) that would duplicate the methods set forth at 40 CFR 141.23(k)(1) except that USEPA updated and revised several of the methods. The Board has combined the two federal tables, using the version of each method set forth in the Phase V rules where the methods set forth conflict.

b) Arsenic. Analyses for arsenic must be conducted using one of the following methods:

1) Atomic absorption, furnace technique: USEPA Inorganic Methods: Method 206.2;

2) Atomic absorption, gaseous hydride:

A) USEPA Inorganic Methods: Method 206.3,

B) ASTM D2972-88B,

C) Standard Methods:

i) Method 307A (referencing Methods 303E and 304), or

ii) Method 307B

D) USGS Methods: I-1062-85;

3) Spectrophotometric, silver diethyldithiocarbamate:

A) USEPA Inorganic Methods: Method 206.4,

B) ASTM D-2972-88A, or

C) Standard Methods: Method 307B; or

4) Inductively-coupled plasma arc furnace, Inductively-Coupled Plasma-Method, Method 200.7, as supplemented by Method Appendix 200.7A.

BOARD NOTE: Derived from 40 CFR 141.23(k)(2) (1992).

c) Fluoride. Analyses for fluoride must be conducted using one of

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the following methods:

- 1) Colorimetric SPADNS, with distillation:

A) USEPA Inorganic Methods: Method 340.1,

B) ASTM D1179-72A, or

C) Standard Methods: Methods 413A and 413C;

BOARD NOTE: 40 CFR 141.23(k)(3) cites methods "43 A and C", an obvious error that the Board has corrected to "413A and 413C".

- 2) Potentiometric, ion selective electrode:

A) USEPA Inorganic Methods: Method 340.2,

B) ASTM D1179-72B, or

C) Standard Methods: Method 413B;

- 3) Automated Alizarin fluoride blue, with distillation (complexone):

A) USEPA Inorganic Methods: Method 340.3,

B) Standard Methods: Method 413E, or

C) Technicon Methods: Method 129-71W; or

- 4) Automated ion selective electrode: Technicon Methods, Method 380-75WF.

BOARD NOTE: Derived from 40 CFR 141.23(k)(3) (1992).

- d) Sample collection for antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, and selenium, and thallium pursuant to Sections 611.600 through 611.604 must be conducted using the following sample preservation, container and maximum holding time procedures:

1) Antimony:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6

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months.

42) Asbestos:

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

43) Barium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

41 Beryllium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

42) Cadmium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

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- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

46) Chromium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

7) Cyanide:

- A) Preservative: Cool to 4°C. Add sodium hydroxide to pH > 12. See the analytical methods for information on sample preservation.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

58) Fluoride:

- A) Preservative: None.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 1 month.

62) Mercury:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.
- B) Plastic or glass (hard or soft).

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- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

101 Nickel:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

711 Nitrate, chlorinated:

- A) Preservative: Cool to 4° C.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

912 Nitrate, non-chlorinated:

- A) Preservative: Concentrated sulfuric acid to pH less than 2.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

913 Nitrite:

- A) Preservative: Cool to 4° C.
- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 48 hours.

104) Selenium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be

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preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

- B) Plastic or glass (hard or soft).
- C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

15) Thallium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

BOARD NOTE: Derived from 40 CFR 141.23(k)(4) (1992) as amended and renumbered to 40 CFR 141.23 (k)(5) at 57 Fed. Reg. 31840 (July 17, 1992).

- e) Analyses under this Subpart must be conducted by laboratories that received approval from USEPA or the Agency. Laboratories may conduct sample analyses for antimony, beryllium, cyanide, nickel, and thallium under provisional certification granted by the Agency until January 1, 1996. The Agency shall approve/certify laboratories to conduct analyses for antimony, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, and selenium, and thallium if the laboratory:

1) Analyzes performance evaluation samples, provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c), that include those substances at levels not in excess of levels expected in drinking water; and

2) Achieves quantitative results on the analyses within the following acceptance limits:

A) Antimony: $\pm 30\%$ at greater than or equal to 0.006 mg/L.

BOARD NOTE: 40 CFR 141.23(k)(6), as renumbered from Paragraph (k)(5) and amended at 40 CFR 31840 (July 17, 1992), actually lists "6#30" as the acceptance limit

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for antimony. The Board corrected this to " $\pm 30\%$ " based on the discussion at 57 Fed. Reg. 31801.

A) Asbestos: 2 standard deviations based on study statistics.

B) Barium: $\pm 15\%$ at greater than or equal to 0.15 mg/L.

D) Beryllium: $\pm 15\%$ at greater than or equal to 0.001 mg/L.

E) Cadmium: $\pm 20\%$ at greater than or equal to 0.002 mg/L.

F) Chromium: $\pm 15\%$ at greater than or equal to 0.01 mg/L.

G) Cyanide: $\pm 25\%$ at greater than or equal to 0.1 mg/L.

H) Fluoride: $\pm 10\%$ at 1 to 10 mg/L.

I) Mercury: $\pm 30\%$ at greater than or equal to 0.0005 mg/L.

J) Nickel: $\pm 15\%$ at greater than or equal to 0.01 mg/L.

K) Nitrate: $\pm 10\%$ at greater than or equal to 0.4 mg/L.

L) Nitrite: $\pm 15\%$ at greater than or equal to 0.4 mg/L.

M) Selenium: $\pm 20\%$ at greater than or equal to 0.01 mg/L.

N) Thallium: $\pm 30\%$ at greater than or equal to 0.002 mg/L.

BOARD NOTE: Derived from 40 CFR 141.23(k)(5) (1992), as amended and renumbered to 40 CFR 141.23 (k)(6) at 57 Fed. Reg. 31840-41 (July 17, 1992), and the discussion at 57 Fed. Reg. 31809.

f) Sample preservation, turbidity measurement, and digestion. For all analytical methods marked with an asterisk (*) in subsection (a) above, the following must be done:

1) The samples must be preserved with concentrated nitric acid (pH < 2).

1) Turbidity must be measured on the preserved samples immediately prior to analysis; and

2) The sample must be analyzed as follows:

A) Directly for total metals if the turbidity is less than 1 NTU, or

B) After digestion, using the total recoverable technique as defined in the applicable method, if the turbidity is 1 NTU or greater.

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BOARD NOTE: Derived from 40 CFR 141.23(k)(4), footnote 6, as added at 57 Fed. Reg. 31840 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.612 Monitoring Requirements for Old Inorganic MCLs

- a) Analyses for the purposes of determining compliance with the old inorganic MCLs of Section 611.300 are required as follows:
- 1) Analyses for all CWSs utilizing surface water sources must be repeated at yearly intervals.
 - 2) Analyses for all CWSs utilizing only groundwater sources must be repeated at three-year intervals.
 - 3) This subsection corresponds with 40 CFR 141.23(l)(3) (1992), which requires monitoring for the repealed old MCL for nitrate at a frequency specified by the state. The Board has followed the USEPA lead and repealed that old MCL. This statement maintains structural consistency with USEPA rules.
 - 4) This subsection corresponds with 40 CFR 141.23(l)(4) (1992), which authorizes the state to determine compliance and initiate enforcement action. This authority exists through the authorization of the Act, not through federal rules. This statement maintains structural consistency with USEPA rules.
- b) If the result of an analysis made under subsection (a) above indicates that the level of any contaminant listed in Section 611.300 exceeds the old MCL, the supplier shall report to the Agency within 7 days and initiate three additional analyses at the same sampling point within one month.
- c) When the average of four analyses made pursuant to subsection (b) above, rounded to the same number of significant figures as the old MCL for the substance in question, exceeds the old MCL, the supplier shall notify the Agency and give notice to the public pursuant to Subpart T of this Part. Monitoring after public notification must be at a frequency designated by the Agency by a SEP granted pursuant to Section 611.110 and must continue until the old MCL has not been exceeded in two successive samples or until a different monitoring schedule becomes effective as a condition to a variance, an adjusted standard, a site specific rule, an enforcement action, or another SEP granted pursuant to Section 611.110.
- d) This subsection corresponds with 40 CFR 141.23(o) (1992), which pertains to monitoring for the repealed old MCL for nitrate. The Board has followed the USEPA action and repealed that old MCL. This statement maintains structural consistency with USEPA rules.
- e) This subsection corresponds with 40 CFR 141.23(p) (1992), which pertains to the use of existing data up until a date long since expired. The Board did not adopt the original provision in R88-26. This statement maintains structural consistency with USEPA

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rules.

- f) Analyses conducted to determine compliance with the old MCLs of Section 611.300 must be made in accordance with the following methods, incorporated by reference in Section 611.102.

- 1) Arsenic:
 - A) ASTM:
 - i) Method D2972-88A, or
 - ii) Method D2972-88B;
 - B) Standard Methods:
 - i) Method 307A, or
 - ii) Method 307B;
 - C) USGS Methods, Method I-1062-85;
 - D) USEPA Inorganic Methods:
 - i) Method 206.2, or
 - ii) Method 206.3; or
 - E) ICP Method 200.7, as supplemented by appendix 200.7A.
- 2) Barium:
 - A) ~~Standard Methods: Method 308;~~
 - B) ~~USEPA Inorganic Methods:~~
 - i) ~~Method 200.1; or~~
 - ii) ~~Method 200.2; or~~
 - iii) ~~ICP Method 200.7, as supplemented by appendix 200.7A;~~
 - 3) Fluoride: The methods specified in Section 611.611(c) shall apply for the purposes of this Section.
 - 4) Cyanide, until the cyanide MCL of Section 611.300 is no longer effective:
 - A) Standard Methods: Method 412B4500-CN D, E, F, or G7 ex1
 - B) USEPA Inorganic Methods: Methodg 335.1, 335.2, or 335.3; or
 - C) ASTM Methods D2036-89A or B.
 - 5) Iron:

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- A) Standard Methods: Method 303A;
 B) USEPA Inorganic Methods:
 i) Method 236.1, or
 ii) Method 236.2; or

- C) ICP Method 200.7, as supplemented by appendix 200.7A.

65) Manganese:

- A) ASTM: Method D858-84;
 B) Standard Methods: Method 303A;
 C) USEPA Inorganic Methods:
 i) Method 243.1, or
 ii) Method 243.2; or

- D) ICP Method 200.7, as supplemented by appendix 200.7A.

76) Zinc:

- A) Standard Methods: Method 303A; or
 B) USEPA Inorganic Methods:
 i) Method 289.1, or
 ii) Method 289.2.

BOARD NOTE: The provisions of subsections (a) through (f) above apply to additional state requirements. Subsections (a) through (f)(3) above derived from 40 CFR 141.23(l) through (q) (1992). The Board has deleted several analytical methods codified by USEPA at 40 CFR 141.23(q) (formerly 40 CFR 141.23(f)) because the MCLs of 40 CFR 141.11 expired for those contaminants on July 30 and November 30, 1992. Subsection (f)(32) above relates to a contaminant for which USEPA specifies an MCL, but for which it repealed the analytical method. Subsections (f)(4) through (f)(86) above relate exclusively to additional state requirements. The predecessor to subsections (a) through (e) above were formerly codified as Section 611.601. The predecessor to subsection (f) above was formerly codified as Section 611.606.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

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Section 611.640 Definitions

The following terms are defined for use in this Subpart only. Additional definitions are located in Section 611.102.

"Old MCL" means an MCL in Section 611.310. These include the MCLs identified as "additional state requirements" and those derived from 40 CFR 141.12, but excluding THM. "Old MCLs" includes the Section 611.310 MCLs for the following contaminants:

Aldrin
 2,4-D
 DDT
 Dieldrin
 Endrin

Heptachlor

Heptachlor epoxide

BOARD NOTE: 2,4-D, heptachlor, and heptachlor epoxide are also "Phase II SOCs". The additional state requirements of Section 611.310 impose a more stringent "old MCL" for each of these compounds than that imposed on them as Phase II SOCs by Section 611.311. However, the requirements for sampling and monitoring for these compounds as Phase II SOCs and the consequences of their detection and violation of their revised MCLs is more stringent as Phase II SOCs.

"Phase II SOCs" means:

Alachlor
 Atrazine
 Carbofuran
 Chlordane
 Dibromochloropropane
 Ethylene dibromide
 Heptachlor
 Heptachlor epoxide
 Lindane
 Methoxychlor
 Polychlorinated biphenyls
 Toxaphene
 2,4-D
 2,4,5-TP

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(c)(1) through (c)(18) (1992). The MCLs for these contaminants are located at Section 611.311. More stringent MCLs for heptachlor, heptachlor epoxide, and 2,4-D are found as "additional state requirements" in Section 611.310.

"Phase IIB SOCs" means:

Aldicarb
 Aldicarb Sulfone
 Aldicarb Sulfoxide
 Pentachlorophenol

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(c)(1) through (c)(18) (1992). The MCLs for these contaminants are located at Section 611.311. —The effectiveness of the Section 611.311 MCLs for aldicarb,

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aldicarb sulfone, and aldicarb sulfoxide are administratively stayed until the Board takes further administrative action to end this stay. However, suppliers must monitor for these three SOCs pursuant to Section 611.648. See 40 CFR 141.6(g) (1992) and 57 Fed. Reg. 22178 (May 27, 1992).

"Phase V SOCs" means:

Benzofalpyrene
Dallapon
Di(2-ethylhexyl)adipate
Di(2-ethylhexyl)phthalate
Dinoseb
Diquat
Endothall
Endrin
Glyphosate
Hexachlorobenzene
Hexachlorocyclopentadiene
Oxamyl
Picloram
Simazine
2,3,7,8-TCDD

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(c)(19) through (c)(33) (1992). The MCLs for these contaminants are located at Section 611.311, and become effective January 17, 1994.

"Phase I VOCs" means:

Benzene
Carbon tetrachloride
p-Dichlorobenzene
1,2-Dichloroethane
1,1-Dichloroethylene
1,1,1-Trichloroethane
Trichloroethylene
Vinyl chloride

BOARD NOTE: These are the organic contaminants regulated at 40 CFR 141.61(a)(1) through (a)(8) (1992). The MCLs for these contaminants are located at Section 611.311(a).

"Phase II VOCs" means:

o-Dichlorobenzene
cis-1,2-Dichloroethylene
trans-1,2-Dichloroethylene
1,2-Dichloropropane
Ethylbenzene
Monochlorobenzene
Styrene
Tetrachloroethylene
Toluene
Xylenes (total)

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(a)(9) through (a)(18) (1992). The MCLs for these contaminants are in Section 611.311(a).

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"Phase V VOCs" means:

Dichloromethane
1,2,4-Trichlorobenzene
1,1,2-Trichloroethane

BOARD NOTE: These are the organic contaminants regulated at 40 CFR 141.61(a)(19) through (a)(21) (1992). The MCLs for these contaminants are located at Section 611.311(a) and become effective January 17, 1994.

"Revised MCL" means an MCL in Section 611.311. This term includes MCLs for "Phase I VOCs", "Phase II VOCs", "Phase V VOCs", and "Phase II SOCs", "Phase IIB SOCs", and "Phase V SOCs".

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.646 Phase I, and Phase II, and Phase V Volatile Organic Contaminants

Monitoring of the Phase I, Phase II, and Phase V VOCs and Phase II VOCs for the purpose of determining compliance with the MCL must be conducted as follows:

a) Definitions. As used in this Section:

"Detect" and "detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means 0.0005 mg/L.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7), (f)(11), (f)(14)(i), and (f)(20) (1992). This is a "trigger level" for Phase I, Phase II, and Phase V VOCs and Phase II VOCs inasmuch as it prompts further action. The use of the term "detect" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit". Note, however that certain language at the end of federal paragraph (f)(20) is capable of meaning that the "method detection limit" is used to derive the "detection limit". The Board has chosen to disregard that language at the end of paragraph (f)(20) in favor of the more direct language of paragraphs (f)(7) and (f)(11).

"Method detection limit", as used in subsections (g) and (t) below means the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

BOARD NOTE: Derived from 40 CFR 136, Appendix B (1992). The method detection limit is determined by the procedure set forth in 40 CFR 136, Appendix B. See subsection (t) below.

b) Required sampling. Each supplier shall take a minimum of one

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sample at each sampling point at the times required in subsection (u) below.

c) Sampling points.

1) Sampling points for GWSS. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:

- A) Each entry point after treatment; or
- B) Points in the distribution system that are representative of each source.

3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.

4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) above derived from 40 CFR 141.24(f)(1) through (f)(3) (1992).

d) Each GWS and NTNCWS supplier shall take four consecutive quarterly samples for each of the Phase I VOCs, excluding vinyl chloride, and Phase II VOCs during each compliance period, beginning in the compliance period starting ~~January 17, 1993~~ in the initial compliance period.

e) Reduction to annual monitoring frequency. If the initial monitoring for the Phase I, Phase II, and Phase V VOCs and ~~Phase II VOCs~~ as allowed in subsection (f)(1) below has been completed by December 31, 1992, and the supplier did not detect any of the Phase I VOCs, including vinyl chloride, ~~or Phase II, or Phase V VOCs~~, then the supplier shall take one sample annually beginning ~~January 17, 1993~~ in the initial compliance period.

f) GWS reduction to triennial monitoring frequency. After a minimum of three years of annual sampling, GWS suppliers that have not previously detected any of the Phase I VOCs, including vinyl chloride, ~~or Phase II, or Phase V VOCs~~ shall take one sample during each three-year compliance period.

g) A GWS or NTNCWS supplier that has completed the initial round of monitoring required by subsection (d) above and which did not detect any of the Phase I VOCs, including vinyl chloride, and Phase II, and Phase V VOCs may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from the requirements

of subsection (e) or (f) above. A supplier that serves fewer than 500 service connections may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from the requirements of subsection (d) above as to 1,2,4-trichlorobenzene.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7) and (f)(10) (1992), as amended at 57 Fed. Reg. 31841 (July 17, 1992), and the discussion at 57 Fed. Reg. 31825 (July 17, 1992). Provisions concerning the term of the waiver appear below in subsections (i) and (j) below. The definition of "detect", parenthetically added to the federal counterpart paragraph is in subsection (a) above.

h) Vulnerability Assessment. The Agency shall consider the factors of Section 611.110(e) in granting a SEP from the requirements of subsections (d), (e), or (f) above sought pursuant to subsection (g) above.

i) A SEP issued to a GWS pursuant to subsection (g) above is for a maximum of six years, except that a SEP as to the subsection (d) above monitoring for 1,2,4-trichlorobenzene shall apply only to the initial round of monitoring. As a condition of a SEP, except as to a SEP from the initial round of subsection (d) above monitoring for 1,2,4-trichlorobenzene, the supplier shall, within 30 months after the beginning of the period for which the waiver was issued, reconfirm its vulnerability assessment required by subsection (h) above and submitted pursuant to subsection (g) above, by taking one sample at each sampling point and reapplying for a SEP pursuant to subsection (g) above. Based on this application, the Agency shall either:

1) If it determines that the PWS meets the standard of Section 611.610(e), issue a SEP that reconfirms the prior SEP for the remaining three-year compliance period of the six-year maximum term; or,

2) Issue a new SEP requiring the supplier to sample annually.

BOARD NOTE: This provision does not apply to SWSs and mixed systems.

j) Special considerations for SEPs for SWS and mixed systems.

1) The Agency must determine that a SWS is not vulnerable before issuing a SEP pursuant to a SWS supplier. A SEP issued to a SWS or mixed system supplier pursuant to subsection (g) above is for a maximum of one compliance period; and

2) The Agency may require, as a condition to a SEP issued to a SWS or mixed supplier, that the supplier take such samples for Phase I, Phase II, and Phase V VOCs and ~~Phase II VOCs~~ at such a frequency as the Agency determines are necessary, based on the vulnerability assessment.

BOARD NOTE: There is a great degree of similarity between 40 CFR 141.24(f)(7), the provision applicable to GWSs, and 40 CFR 141.24(f)(10), the provision for SWSs. The Board has consolidated the common requirements of both paragraphs into

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subsection (g) above. Subsection (j) above represents the elements unique to SWSs and mixed systems, and subsection (i) above relates to GWSs. Although 40 CFR 141.24(f)(7) and (f)(10) are silent as to mixed systems, the Board has included mixed systems with SWSs because this best follows the federal scheme for all other contaminants.

1,1-Dichloroethylene (Phase I)
cis-1,2-Dichloroethylene (Phase II)
trans-1,2-Dichloroethylene (Phase II)
Tetrachloroethylene (Phase II)
1,1,1-Trichloroethylene (Phase I)
Trichloroethylene (Phase I)

- k) If one of the Phase I VOCs, excluding vinyl chloride, or Phase II, or Phase V VOCs is detected in any sample, then:

- B) The supplier shall sample quarterly for vinyl chloride at each sampling point at which it detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) above.

1) Annual monitoring.

- A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to annual at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.

- C) The Agency shall grant a SEP pursuant to Section 611.110 that allows the supplier to reduce the monitoring frequency for vinyl chloride at any sampling point to once in each three-year compliance period if it determines that the supplier has not detected vinyl chloride in first sample required by subsection (k)(5)(B) above.

- B) A request for a SEP must include the following minimal information:

- 1) Quarterly monitoring following MCL violations.

- i) For a GWS, two quarterly samples.

- 1) Suppliers that violate an MCL for one of the Phase I VOCs, including vinyl chloride, or Phase II, or Phase V VOCs, as determined by subsection (c) below, shall monitor quarterly for that contaminant, at the sampling point where the violation occurred, beginning the next quarter after the violation.

- ii) For a SWS or mixed system, four quarterly samples.

- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (k)(1) above if it violates the MCL specified by Section 611.311.

2) Annual monitoring.

- A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to annually if it determines that the sampling point is reliably and consistently below the MCL.

- B) A request for a SEP must include the following minimal information: four quarterly samples.

- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.

- 4) Suppliers that do not detect a contaminant at a sampling point in three consecutive annual samples may apply to the Agency for a SEP pursuant to Section 611.110 that allows it to discontinue monitoring for that contaminant at that point, as specified in subsection (g) above.

- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (1)(1) above if it violates the MCL specified by Section 611.311.

- 5) A GWS supplier that has detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) below shall monitor quarterly for vinyl chloride as described in subsection (k)(5)(B) below, subject to the limitation of subsection (k)(5)(C) below.

- A) Two-carbon contaminants (Phase I or II VOC):

1,2-Dichloroethane (Phase I)

- m) Confirmation samples. The Agency may issue a SEP pursuant to Section 610.110 to require a supplier to use a confirmation sample for results that it finds dubious for whatever reason. The Agency must state its reasons for issuing the SEP if the SEP is Agency-initiated.

- D) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.

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- 1) If a supplier detects any of the Phase I, Phase II, or Phase V VOCs or ~~Phase II VOCs~~ in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.
- 2) Averaging is as specified in subsection (c) below.
- 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.

n) This subsection corresponds with 40 CFR 141.24(f)(14), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

o) Compliance with the MCLs for the Phase I, Phase II, and Phase V VOCs ~~and Phase II VOCs~~ must be determined based on the analytical results obtained at each sampling point.

- 1) For suppliers that conduct monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.

A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.

B) If the initial sample or a subsequent sample would cause the annual average to exceed the MCL, then the supplier is out of compliance immediately.

C) Any samples below the detection limit shall be deemed as zero for purposes of determining the annual average.

- 2) If monitoring is conducted annually, or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.

- 3) Public notice for a supplier out of compliance is governed by Subpart T of this Part.

p) Analyses for the Phase I, Phase II, and Phase V VOCs ~~and Phase II VOCs~~ must be conducted using the following methods. These methods are contained in USEPA Organic Methods, incorporated by reference in Section 611.102:

- 1) Method 502.1-1-1: "Volatile Halogenated Organic Chemicals in Water by Purge and Trap Gas Chromatography"-1
- 2) Method 502.2-1-1: "Volatile Organic Compounds in Water by Purge and Trap Capillary Column Gas Chromatography with Photoionization and Electrolytic Conductivity Detectors in Series"-1
- 3) Method 503.1-1-1: "Volatile Aromatic and Unsaturated Organic

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Compounds in Water by Purge and Trap Gas Chromatography"-1
Method 524.1-1-1: "Measurement of Purgeable Organic Compounds in Water by Purged Column Gas Chromatography/Mass Spectrometry"-1

- 5) Method 524.2-1-1: "Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry"-1

q) Analysis under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions:

- 1) To receive conditional approval to conduct analyses for the Phase I VOCs, excluding vinyl chloride, ~~and Phase II VOCs~~, and Phase V VOCs, the laboratory must:

A) Analyze performance evaluation samples that include these substances provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);

B) Achieve the quantitative acceptance limits under subsections (q)(1)(C) and (q)(1)(D) below for at least 80 percent of the Phase I VOCs, excluding vinyl chloride, ~~ex-Phase II VOCs~~, except vinyl chloride, or Phase V VOCs;

C) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) above that are within ± 20 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is greater than or equal to 0.010 mg/L;

D) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) above that are within ± 40 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is less than 0.010 mg/L; and

E) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, appendix B, incorporated by reference in Section 611.102.

- 2) To receive conditional approval to conduct analyses for vinyl chloride the laboratory must:

A) Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);

B) Achieve quantitative results on the analyses performed under subsection (q)(2)(A) above that are within ± 40 percent of the actual amount of vinyl chloride in the performance evaluation sample;

C) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, appendix 8, incorporated by reference in Section 611.102; and

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- D) Obtain certification pursuant to subsection (q)(1) above for Phase I VOCs, excluding vinyl chloride, and Phase II VOCs, and Phase V VOCs.

r) Use of existing data.

- 1) The Agency shall allow the use of data collected after January 1, 1988 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.
- 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning January 1, 1993 in the initial compliance period if it determines that the supplier did not detect any Phase I, ~~VOC-ex-Phase II, or Phase V~~ VOC using existing data allowed pursuant to subsection (r)(1) above.
- s) The Agency shall, by SEP, increase the number of sampling points or the frequency of monitoring if it determines that it is necessary to detect variations within the PWS.
- t) Each laboratory approved for the analysis of Phase I, ~~VOC-ex-Phase II, or Phase V~~ VOCs pursuant to subsection (q)(1) or (q)(2) above shall:
 - 1) Determine the method detection limit (MDL), as defined in 40 CFR 136, Appendix B, incorporated by reference in Section 611.102, at which it is capable of detecting the Phase I, ~~Phase II, and Phase V~~ VOCs and ~~Phase II-VOCs~~; and,
 - 2) Achieve an MDL for each Phase I, ~~VOC-and-Phase II, and Phase V~~ VOC that is less than or equal to 0.0005 mg/L.
- u) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.

BOARD NOTE: Derived from 40 CFR 141.24(f) (1992), as amended at 57 Fed. Reg. 31841 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants

Analysis of the Phase II, Phase IIB, and Phase V VOCs for the purposes of determining compliance with the MCL must be conducted as follows:

- a) Definitions. As used in this Section:

"Detect or detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means the level of the contaminant of interest that is specified in subsection (r) below.

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BOARD NOTE: This is a "trigger level" for Phase II, Phase IIB, and Phase V VOCs inasmuch as it prompts further action. The use of the term "detect" or "detection" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit".

- b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (q) below.

BOARD NOTE: USEPA stayed the effective date of the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfoxide at 57 Fed. Reg. 22178 (May 27, 1992). Section 611.311(c) includes this stay. However, despite the stay of the effectiveness of the MCLs for these three VOCs, suppliers must monitor for them.

c) Sampling points.

- 1) Sampling points for GWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.
- 2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:
 - A) Each entry point after treatment; or
 - B) Points in the distribution system that are representative of each source.
- 3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.
- 4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) above derived from 40 CFR 141.24(h)(1) through (h)(3) (1992).

d) Monitoring frequency:

- 1) Each CWS and NTNWS supplier shall take four consecutive quarterly samples for each of the Phase II, Phase IIB, and Phase V VOCs during each compliance period, beginning in the three-year compliance period starting January 1, 1993 in the initial compliance period.
- 2) Suppliers serving more than 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of two quarterly samples in one year of each

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subsequent three-year compliance period.

- 3) Suppliers serving less than or equal to 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of one sample during each subsequent three-year compliance period.
- e) Reduction to annual monitoring frequency. A CWS or NTNCWS supplier may apply to the Agency for a SEP that releases it from the requirements of subsection (d) above. A SEP from the requirement of subsection (d) above shall last for only a single three-year compliance period.
- f) Vulnerability Assessment. The Agency shall grant a SEP from the requirements of subsection (d) above based on consideration of the factors set forth at Section 611.110(e).
- g) If one of the Phase II, Phase IIB, or Phase V SOCs is detected in any sample, then:
 - 1) The supplier shall monitor quarterly for the contaminant at each sampling point that resulted in a detection.
 - 2) Annual monitoring.
 - A) A supplier may request that the Agency grant a SEP pursuant to Section 610.110 that reduces the monitoring frequency to annual.
 - B) A request for a SEP must include the following minimal information:
 - i) For a GWS, two quarterly samples.
 - ii) For a SWS or mixed system, four quarterly samples.
 - C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
 - D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (g)(1) above if it detects any Phase II SOC.
- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.
- 4) Suppliers that have three consecutive annual samples with no detection of a contaminant at a sampling point may apply to the Agency for a SEP with respect to that point, as

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specified in subsections (e) and (f) above.

- 5) Monitoring for related contaminants.
 - A) If monitoring results in detection of one or more of the related contaminants listed in subsection (g)(5)(B) below, subsequent monitoring shall analyze for all the related compounds in the respective group.
 - B) Related contaminants:
 - i) first group:
 - aldicarb
 - aldicarb sulfone
 - aldicarb sulfoxide
 - ii) second group:
 - heptachlor
 - heptachlor epoxide,
- h) Quarterly monitoring following MCL violations.
 - 1) Suppliers that violate an MCL for one of the Phase II, Phase IIB, or Phase V SOCs, as determined by subsection (k) below, shall monitor quarterly for that contaminant at the sampling point where the violation occurred, beginning the next quarter after the violation.
 - 2) Annual monitoring.
 - A) A supplier may request that the Agency grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to annual.
 - B) A request for a SEP must include, at a minimum, the results from four quarterly samples.
 - C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
 - D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (h)(1) above if it detects any Phase II SOC.
 - E) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.
- i) Confirmation samples.

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- 1) If any of the Phase II, Phase IIB, or Phase V SOCs are detected in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.
- 2) Averaging is as specified in subsection (k) below.
- 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.

j) This subsection corresponds with 40 CFR 141.24(h)(10), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

k) Compliance with the MCLs for the Phase II, Phase IIB, and Phase V SOCs shall be determined based on the analytical results obtained at each sampling point.

- 1) For suppliers that are conducting monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.
 - A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.
 - B) If the initial sample or a subsequent sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.
 - C) Any samples below the detection limit must be calculated as zero for purposes of determining the annual average.
- 2) If monitoring is conducted annually or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.

- 3) Public notice for a supplier out of compliance is governed by Subpart T of this Part.

BOARD NOTE: Derived from 40 CFR 141.24(h)(11) (1992).

- 1) Analysis for Phase II, Phase IIB, and Phase V SOCs must be conducted using the following methods. These methods, except for USEPA Dioxin and Furan Method 1613, are contained in USEPA Organic Methods. All methods are incorporated by reference in Section 611.102.

- 1) Method 504*i*. "1,2-Dibromoethane (EDB) and 1,2-Dibromo-3-chloropropane (DBCP) in Water by Microextraction and Gas Chromatography". Method 504 can be used to measure 1,2-Dibromo-3-chloropropane (dibromochloropropane or DBCP) and 1,2-Dibromoethane (ethylene dibromide or EDB).

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- 2) Method 505*i*. "Analysis of Organohalide Pesticides and Commercial Polychlorinated Biphenyl Products (Aroclors) in Water by Microextraction and Gas Chromatography". Method 505 can be used to measure alachlor, atrazine, chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, simazine, and toxaphene. Method 505 can be used as a screen for PCBs.
- 3) Method 507*i*. "Determination of Nitrogen- and Phosphorus-Containing Pesticides in Ground Water by Gas Chromatography with a Nitrogen-Phosphorus Detector". Method 507 can be used to measure alachlor, endrin, and simazine.
- 4) Method 508*i*. "Determination of Chlorinated Pesticides in Water by Gas Chromatography with an Electron Capture Detector". Method 508 can be used to measure chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, lindane, methoxychlor, and toxaphene. Method 508 can be used as a screen for PCBs.
- 5) Method 508A*i*. "Screening for Polychlorinated Biphenyls by Perchlorination and Gas Chromatography". Method 508A is used to quantitate PCBs as decachlorobiphenyl if detected in Methods 505 or 508.
- 6) Method 515.1, revision 5.0 (May, 1991)*i*. "Determination of Chlorinated Acids in Water by Gas Chromatography with an Electron Capture Detector". Method 515.1 can be used to measure 2,4-D, dalapon, dinoseb, pentachlorophenol, picloram, and 2,4,5-TP (Silvex) and pentachlorophenol.
- 7) Method 525.1, revision 3.0 (May, 1991)*i*. "Determination of Organic Compounds in Drinking Water by Liquid-Solid Extraction and Capillary Column Gas Chromatography/Mass Spectrometry". Method 525 can be used to measure alachlor, atrazine, chlordane, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, and pentachlorophenol. Polynuclear aromatic hydrocarbons, simazine, and toxaphene.
- 8) Method 531.1*i*. "Measurement of N-Methyl Carbamoyloximes and N-Methyl Carbamates in Water by Direct Aqueous Injection HPLC with Post-Column Derivatization". Method 531.1 can be used to measure aldicarb, aldicarb sulfide, aldicarb sulfone, and carbofuran, and oxamyl.
- 9) USPPA Dioxin and Furan Method 1613. "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution". Method 1613 can be used to measure 2,3,7,8-TCDD (dioxin).
- 10) Method 547. "Analysis of glyphosate in Drinking Water by Direct Aqueous Injection HPLC with Post-Column Derivatization". Available from USEPA-OST. Method 547 can be used to measure glyphosate.

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- 11) Method 548: "Determination of Endothall in Aqueous Samples". Method 548 can be used to measure endothall.
- 12) Method 549: "Determination of Diquat and Paraquat in Drinking Water by High Performance Liquid Chromatography with Ultraviolet Detection". Method 549 can be used to measure diquat.
- 13) Method 550: "Determination of Polycyclic Aromatic Hydrocarbons in Drinking Water by Liquid-Liquid Extraction and HPLC with Coupled Ultraviolet and Fluorescence Detection". Method 550 can be used to measure benzo(a)pyrene and other polynuclear aromatic hydrocarbons.
- 14) Method 550.1: "Determination of Polycyclic Aromatic Hydrocarbons in Drinking Water by Liquid-Solid Extraction and HPLC with Coupled Ultraviolet and Fluorescence Detection". Method 550 can be used to measure benzo(a)pyrene and other polynuclear aromatic hydrocarbons.
- m) Analysis for PCBs must be conducted as follows:
- 1) Each supplier that monitors for PCBs shall analyze each sample using either USEPA Organic Methods, Method 505 or Method 508.
 - 2) If PCBs are detected in any sample analyzed using USEPA Organic Methods, Methods 505 or 508, the supplier shall reanalyze the sample using Method 508A to quantitate the individual Aroclors (as decachlorobiphenyl).
 - 3) Compliance with the PCB MCL must be determined based upon the quantitative results of analyses using USEPA Organic Methods, Method 508A.
- n) Use of existing data.
- 1) The Agency shall allow the use of data collected after January 1, 1990 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.
 - 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning January 1, 1993 in the initial compliance period if it determines that the supplier did not detect any Phase I VOC or Phase II VOC using existing data allowed pursuant to subsection (n)(1) above.
- o) The Agency shall issue a SEP that increases the number of sampling points or the frequency of monitoring if it determines that this is necessary to detect variations within the PWS due to such factors as fluctuations in contaminant concentration due to seasonal use or changes in the water source.

BOARD NOTE: At 40 CFR 141.24(h)(15), USEPA uses the stated factors as non-limiting examples of circumstances that make

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- additional monitoring necessary.
- p) This subsection corresponds with 40 CFR 141.24(h)(16), a USEPA provision that the Board has not adopted because it reserves enforcement authority to the state and would serve no useful function as part of the state's rules. This statement maintains structural consistency with USEPA rules.
- q) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.
- r) "Detection" means greater than or equal to the following concentrations for each contaminant:
- 1) for PCBs (Aroclors):

| Aroclor | Detection Limit (mg/L) |
|---------|------------------------|
| 1016 | 0.00008 |
| 1221 | 0.02 |
| 1232 | 0.0005 |
| 1242 | 0.0003 |
| 1248 | 0.0001 |
| 1254 | 0.0001 |
| 1260 | 0.0002 |
 - 2) for other Phase II, Phase IIB, and Phase V SOCs:

| Contaminant | Detection Limit (mg/L) |
|-----------------------------|------------------------|
| Alachlor | 0.0002 |
| Aldicarb | 0.0005 |
| Aldicarb sulfoxide | 0.0005 |
| Aldicarb sulfone | 0.0008 |
| Atrazine | 0.0001 |
| Benzofalpyrene | 0.00002 |
| Carbofuran | 0.0009 |
| Chlordane | 0.0002 |
| 2,4-D | 0.0001 |
| Dalapon | 0.001 |
| Dibromochloropropane (DBCP) | 0.00002 |
| 2,4-D | 0.0001 |
| Di(2-ethylhexyl)adipate | 0.0006 |
| Di(2-ethylhexyl)phthalate | 0.0006 |
| Dinoseb | 0.0002 |
| Diquat | 0.0004 |
| Endothall | 0.009 |
| Endrin | 0.00001 |
| Ethylene dibromide (EDB) | 0.00001 |
| Glyphosate | 0.006 |
| Heptachlor | 0.00004 |
| Heptachlor epoxide | 0.00002 |
| Hexachlorobenzene | 0.0001 |
| Hexachlorocyclopentadiene | 0.0001 |
| Lindane | 0.00002 |
| Methoxychlor | 0.0001 |
| Oxamyl | 0.002 |
| Picloram | 0.0001 |

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Polychlorinated biphenyls (PCBs)
(as decachlorobiphenyl) 0.0001
Pentachlorophenol 0.00004
Simazine 0.00007
Toxaphene 0.001
2,3,7,8-TCDD (dioxin) 0.000000005
2,4,5-TP (Silvex) 0.0002

~~BOARD NOTE: Derived from 40 CFR 141.24(b) (1992).~~

s) Laboratory Certification.

1) Analyses under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions.

2) To receive certification to conduct analyses for the Phase II, Phase IIB, and Phase V SOCs the laboratory must:

A) Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c) that include these substances; and

B) Achieve quantitative results on the analyses performed under subsection (s)(2)(A) above that are within the acceptance limits set forth in subsection (s)(2)(C) above.

C) Acceptance limits:

| SOC | Acceptance Limits |
|-----------------------------|-----------------------|
| Alachlor | ± 45% |
| Aldicarb | 2 standard deviations |
| Aldicarb sulfone | 2 standard deviations |
| Aldicarb sulfoxide | 2 standard deviations |
| Atrazine | ± 45% |
| Benzo(a)pyrene | 2 standard deviations |
| Carbofuran | ± 45% |
| Chlordane | ± 45% |
| Dalapon | 2 standard deviations |
| Di(2-ethylhexyl)adipate | 2 standard deviations |
| Di(2-ethylhexyl)phthalate | 2 standard deviations |
| Dinoseb | 2 standard deviations |
| Diquat | 2 standard deviations |
| Endosulf | 2 standard deviations |
| Endrin | ± 30% |
| Glyphosate | 2 standard deviations |
| Dibromochloropropane (DBCP) | ± 40% |
| Ethylene dibromide (EDB) | ± 40% |
| Heptachlor | ± 45% |
| Heptachlor epoxide | ± 45% |
| Hexachlorobenzene | 2 standard deviations |
| Hexachlorocyclopentadiene | 2 standard deviations |
| Lindane | ± 45% |

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Methoxychlor
Oxamyl 2 standard deviations
PCBs (as Decachlorobiphenyl) ± 45%
Pentachlorophenol 0-200%
Picloram ± 50%
Simazine 2 standard deviations
Toxaphene 2 standard deviations
2,4-D ± 45%
2,3,7,8-TCDD (dioxin) ± 50%
2,4,5-TP (Silvex) 2 standard deviations
2,4-D ± 50%

BOARD NOTE: Derived from 40 CFR 141.24(h) (1992), as amended at 57 Fed. Reg. 31842 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 611. Appendix A Mandatory Health Effects Information

1) Trichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that trichloroethylene is a health concern at certain levels of exposure. This chemical is a common metal cleaning and dry cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set forth the enforceable drinking water standard for trichloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

2) Carbon tetrachloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbon tetrachloride is a health concern at certain levels of exposure. This chemical was once a popular household cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for carbon tetrachloride at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

3) 1,2-Dichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloroethane is a health concern at certain levels of

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exposure. This chemical is used as a cleaning fluid for fats, oils, waxes and resins. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,2-dichloroethane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

4) Vinyl chloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that vinyl chloride is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been associated with significantly increased risks of cancer among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for vinyl chloride at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

5) Benzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that benzene is a health concern at certain levels of exposure. This chemical is used as a solvent and degreaser of metals. It is also a major component of gasoline. Drinking water contamination generally results from leaking underground gasoline and petroleum tanks or improper waste disposal. This chemical has been associated with significantly increased risks of leukemia among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in humans who are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for benzene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

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6) 1,1-dichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1-dichloroethylene is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1-dichloroethylene at 0.007 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

7) Para-dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that para-dichlorobenzene is a health concern at certain levels of exposure. This chemical is a component of deodorizers, moth balls and pesticides. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for para-dichlorobenzene at 0.075 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

8) 1,1,1-Trichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,1-trichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaner and degreaser of metals. It generally gets into drinking water by improper waste disposal. This chemical has been shown to damage the liver, nervous system and circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the liver, nervous system and circulatory system. Chemicals which cause adverse effects among exposed industrial workers and in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1,1-trichloroethane at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

9) Fluoride. The U.S. Environmental Protection Agency requires that

we send you this notice on the level of fluoride in your drinking water. The drinking water in your community has a fluoride concentration of milligrams per liter (mg/L).

Federal regulations require that fluoride, which occurs naturally in your water supply, not exceed a concentration of 4.0 mg/L in drinking water. This is an enforceable standard called a Maximum Contaminant Level (MCL), and it has been established to protect the public health. Exposure to drinking water levels above 4.0 mg/L for many years may result in some cases of crippling skeletal fluorosis, which is a serious bone disorder.

Federal law also requires that we notify you when monitoring indicates that the fluoride in your drinking water exceeds 2.0 mg/L. This is intended to alert families about dental problems that might affect children under nine years of age. The fluoride concentration of your water exceeds this federal guideline.

Fluoride in children's drinking water at levels of approximately 1 mg/L reduces the number of dental cavities. However, some children exposed to levels of fluoride greater than about 2.0 mg/L may develop dental fluorosis. Dental fluorosis, in its moderate and severe forms, is a brown staining and/or pitting of the permanent teeth.

Because dental fluorosis occurs only when developing teeth (before they erupt from the gums) are exposed to elevated fluoride levels, households without children are not expected to be affected by this level of fluoride. Families with children under the age of nine are encouraged to seek other sources of drinking water for their children to avoid the possibility of staining and pitting.

Your water supplier can lower the concentration of fluoride in your water so that you will still receive the benefits of cavity prevention while the possibility of stained and pitted teeth is minimized. Removal of fluoride may increase your water costs. Treatment systems are also commercially available for home use. Information on such systems is available at the address given below. Low fluoride bottled drinking water that would meet all standards is also commercially available.

For further information, contact _____ at your water system.

BOARD NOTE: Derived from 40 CFR 141.32(e)(9) and 143.5 (1992).

- 10) Microbiological contaminants (for use when there is a violation of the treatment technique requirements for filtration and disinfection in Subpart B of this part). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set enforceable requirements for treating

drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. Drinking water which is treated to meet USEPA requirements is associated with little to none of this risk and should be considered safe.

- 11) Total coliforms. (To be used when there is a violation of Section 611.325(a) and not a violation of Section 611.325(b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliforms are common in the environment and are generally not harmful themselves. The presence of these bacteria in drinking water, however, generally is a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for total coliforms to reduce the risk of these adverse health effects. Under this standard, no more than 5.0 percent of the samples collected during a month can contain these bacteria, except that systems collecting fewer than 40 samples/month that have one total coliform-positive sample per month are not violating the standard. Drinking water which meets this standard is usually not associated with a health risk from disease-causing bacteria and should be considered safe.

- 12) Fecal Coliforms/E. coli. (To be used when there is a violation of Section 611.325(b) or both Section 611.325(a) and (b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of fecal coliforms or E. coli is a serious health concern. Fecal coliforms and E. coli are generally not harmful themselves, but their presence in drinking water is serious because they usually are associated with sewage or animal wastes. The presence of these bacteria in drinking water is generally a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for fecal coliforms and E. coli to reduce the risk of these adverse health effects. Under this standard all drinking water samples must be free of these bacteria. Drinking water which meets this standard is associated with little or none of this risk and should be considered safe. State and local health authorities recommend that consumers take the following precautions: [To be inserted by the public water system, according to instruction from State or local authorities].

- 13) Lead. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lead is a

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health concern at certain exposure levels. Materials that contain lead have frequently been used in the construction of water supply distribution systems, and plumbing systems in private homes and other buildings. The most commonly found materials include service lines, pipes, brass and bronze fixtures, and solders and fluxes. Lead in these materials can contaminate drinking water as a result of the corrosion that takes place when water comes into contact with those materials. Lead can cause a variety of adverse health effects in humans. At relatively low levels of exposure, these effects may include interference with red blood cell chemistry, delays in normal physical and mental development in babies and young children, slight deficits in the attention span, hearing, and learning abilities of children, and slight increases in the blood pressure of some adults. USEPA's national primary drinking water regulation requires all public water systems to optimize corrosion control to minimize lead contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have lead concentrations below 15 parts per billion (ppb) in more than 90% of tap water samples (the USEPA "action level") have optimized their corrosion control treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove lead in source water is needed. Any water system that continues to exceed the action level after installation of corrosion control and/or source water treatment must eventually replace all lead service lines contributing in excess of 15 ppb of lead to drinking water. Any water system that exceeds the action level must also undertake a public education program to inform consumers of ways they can reduce their exposure to potentially high levels of lead in drinking water.

14) Copper. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that copper is a health concern at certain exposure levels. Copper, a reddish-brown metal, is often used to plumb residential and commercial structures that are connected to water distribution systems. Copper contaminating drinking water as a corrosion by-product occurs as the result of the corrosion of copper pipes that remain in contact with water for a prolonged period of time. Copper is an essential nutrient, but at high doses it has been shown to cause stomach and intestinal distress, liver and kidney damage, and anemia. Persons with Wilson's disease may be at a higher risk of health effects due to copper than the general public. USEPA's national primary drinking water regulation requires all public water systems to install optimal corrosion control to minimize copper contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have copper concentrations below 1.3 parts per million (ppm) in more than 90% of tap water samples (the USEPA "action level") are not required to install or improve their treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove copper in source water is needed.

15) Asbestos. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that asbestos fibers greater than 10 micrometers in length are a health concern at certain levels of exposure. Asbestos is a naturally

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occurring mineral. Most asbestos fibers in drinking water are less than 10 micrometers in length and occur in drinking water from natural sources and from corroded asbestos-cement pipes in the distribution system. The major uses of asbestos were in the production of cements, floor tiles, paper products, paint, and caulking; in transportation-related applications; and in the production of textiles and plastics. Asbestos was once a popular insulating and fire retardant material. Inhalation studies have shown that various forms of asbestos have produced lung tumors in laboratory animals. The available information on the risk of developing gastrointestinal tract cancer associated with the ingestion of asbestos from drinking water is limited. Ingestion of intermediate-range chrysotile asbestos fibers greater than 10 micrometers in length is associated with causing benign tumors in male rats. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for asbestos at 7 million long fibers per liter to reduce the potential risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the USEPA standard is associated with little to none of this risk and should be considered safe with respect to asbestos.

16) Barium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that barium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in some aquifers that serve as sources of groundwater. It is also used in oil and gas drilling muds, automotive paints, bricks, tiles, and jet fuels. It generally gets into drinking water after dissolving from naturally occurring minerals in the ground. This chemical may damage the heart and vascular system, and is associated with high blood pressure in laboratory animals such as rats exposed to high levels during their lifetimes. In humans, USEPA believes that effects from barium on blood pressure should not occur below 2 parts per million (ppm) in drinking water. USEPA has set the drinking water standard for barium at 2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to barium.

17) Cadmium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that cadmium is a health concern at certain levels of exposure. Food and the smoking of tobacco are common sources of general exposure. This inorganic metal is a contaminant in the metals used to galvanize pipe. It generally gets into water by corrosion of galvanized pipes or by improper waste disposal. This chemical has been shown to damage the kidney in animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the kidney. USEPA has set the drinking water standard for cadmium at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cadmium.

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18) Chromium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chromium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in the ground and is often used in the electroplating of metals. It generally gets into water from runoff from old mining operations and improper waste disposal from plating operations. This chemical has been shown to damage the kidney, nervous system, and the circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels. Some humans who were exposed to high levels of this chemical suffered liver and kidney damage, dermatitis and respiratory problems. USEPA has set the drinking water standard for chromium at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chromium.

19) Mercury. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that mercury is a health concern at certain levels of exposure. This inorganic metal is used in electrical equipment and some water pumps. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the kidney of laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. USEPA has set the drinking water standard for mercury at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to mercury.

20) Nitrate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrate poses an acute health concern at certain levels of exposure. Nitrate is used in fertilizer and is found in sewage and wastes from human and/or farm animals and generally gets into drinking water from those activities. Excessive levels of nitrate in drinking water have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrate is converted to nitrite in the body. Nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly in infants. In most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 10 parts per million (ppm) for nitrate to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrite at 1 ppm. To allow for the fact that the toxicity of nitrate and nitrite are additive, USEPA has also established a standard for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and

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is considered safe with respect to nitrate.

21) Nitrite. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrite poses an acute health concern at certain levels of exposure. This inorganic chemical is used in fertilizers and is found in sewage and wastes from humans and/or farm animals and generally gets into drinking water as a result of those activities. While excessive levels of nitrite in drinking water have not been observed, other sources of nitrite have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly. However, in most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 1 part per million (ppm) for nitrite to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrate (converted to nitrite in humans) at 10 ppm and for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrite.

22) Selenium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that selenium is a health concern at certain high levels of exposure. Selenium is also an essential nutrient at low levels of exposure. This inorganic chemical is found naturally in food and soils and is used in electronics, photocopy operations, the manufacture of glass, chemicals, drugs, and as a fungicide and a feed additive. In humans, exposure to high levels of selenium over a long period of time has resulted in a number of adverse health effects, including a loss of feeling and control in the arms and legs. USEPA has set the drinking water standard for selenium at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to selenium.

23) Acrylamide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that acrylamide is a health concern at certain levels of exposure. Polymers made from acrylamide are sometimes used to treat water supplies to remove particulate contaminants. Acrylamide has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. Sufficiently large doses of acrylamide are known to cause neurological injury. USEPA has set the drinking water standard for acrylamide using a treatment technique to reduce the

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risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of acrylamide in the polymer and the amount of the polymer which may be added to drinking water to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to acrylamide.

- 24) Alachlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that alachlor is a health concern at certain levels of exposure. This organic chemical is a widely used pesticide. When soil and climatic conditions are favorable, alachlor may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for alachlor at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to alachlor.

- 25) Aldicarb. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that aldicarb is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for aldicarb at 0.003 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb.

- 26) Aldicarb sulfoxide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that aldicarb sulfoxide is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfoxide in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfoxide may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for aldicarb sulfoxide at 0.004 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfoxide.

- 27) Aldicarb sulfone. The United States Environmental Protection

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Agency (USEPA) sets drinking water standards and has determined that aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), aldicarb sulfone may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for aldicarb sulfone at 0.002 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone.

- 28) Atrazine. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that atrazine is a health concern at certain levels of exposure. This organic chemical is a herbicide. When soil and climatic conditions are favorable, atrazine may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to affect offspring of rats and the heart of dogs. USEPA has set the drinking water standard for atrazine at 0.003 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to atrazine.

- 29) Carbofuran. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbofuran is a health concern at certain levels of exposure. This organic chemical is a pesticide. When soil and climatic conditions are favorable, carbofuran may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to damage the nervous and reproductive systems of laboratory animals such as rats and mice exposed at high levels over their lifetimes. Some humans who were working careers also suffered damage to the nervous system. Effects on the nervous system are generally rapidly reversible. USEPA has set the drinking water standard for carbofuran at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to carbofuran.

- 30) Chlordane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chlordane is a health concern at certain levels of exposure. This organic chemical is a pesticide used to control termites. Chlordane is not very mobile in soils. It usually gets into drinking water after application near water supply intakes or wells. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the

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drinking water standard for chlordane at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chlordane.

31) Dibromochloropropane (DBCP). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, DBCP may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for DBCP at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to DBCP.

32) o-Dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that o-dichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent in the production of pesticides and dyes. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and the blood cells of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, nervous system, and circulatory system. USEPA has set the drinking water standard for o-dichlorobenzene at 0.6 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to o-dichlorobenzene.

33) cis-1,2-Dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that cis-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for cis-1,2-dichloroethylene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cis-1,2-dichloroethylene.

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34) trans-1,2-Dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that trans-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and the circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for trans-1,2-dichloroethylene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to trans-1,2-dichloroethylene.

35) 1,2-Dichloropropane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloropropane is a health concern at certain levels of exposure. This organic chemical is used as a solvent and pesticide. When soil and climatic conditions are favorable, 1,2-dichloropropane may get into drinking water by runoff into surface water or by leaching into groundwater. It may also get into drinking water through improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for 1,2-dichloropropane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,2-dichloropropane.

36) 2,4-D. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4-D is a health concern at certain levels of exposure. This organic chemical is used as a herbicide and to control algae in reservoirs. When soil and climatic conditions are favorable, 2,4-D may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4-D at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4-D.

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37) Epichlorohydrin. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that epichlorohydrin is a health concern at certain levels of exposure. Polymers made from epichlorohydrin are sometimes used in the treatment of water supplies as a flocculent to remove particulates. Epichlorohydrin generally gets into drinking water by improper use of these polymers. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for epichlorohydrin using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of epichlorohydrin in the polymer and the amount of the polymer which may be added to drinking water as a flocculent to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to epichlorohydrin.

38) Ethylbenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that ethylbenzene is a health concern at certain levels of exposure. This organic chemical is a major component of gasoline. It generally gets into water by improper waste disposal or leaking gasoline tanks. This chemical has been shown to damage the kidney, liver, and nervous system of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for ethylbenzene at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to ethylbenzene.

39) Ethylene dibromide (EDB). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that EDB is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, EDB may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for EDB at 0.00005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to EDB.

40) Heptachlor. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

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The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor at 0.0004 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor.

41) Heptachlor epoxide. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor epoxide is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor epoxide may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor epoxide at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor epoxide.

42) Lindane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lindane is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, lindane may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to damage the liver, kidney, nervous system, and immune system of laboratory animals such as rats, mice and dogs exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system and circulatory system. USEPA has established the drinking water standard for lindane at 0.0002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to lindane.

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- 43) Methoxychlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that methoxychlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, methoxychlor may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. USEPA has set the drinking water standard for methoxychlor at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to methoxychlor.
- 44) Monochlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that monochlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. USEPA has set the drinking water standard for monochlorobenzene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to monochlorobenzene.
- 45) Polychlorinated biphenyls (PCBs). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that polychlorinated biphenyls (PCBs) are a health concern at certain levels of exposure. These organic chemicals were once widely used in electrical transformers and other industrial equipment. They generally get into drinking water by improper waste disposal or leaking electrical industrial equipment. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for PCBs at 0.0005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects that have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to PCBs.
- 46) Pentachlorophenol. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that pentachlorophenol is a health concern at certain levels of exposure. This organic chemical is widely used as a wood preservative, herbicide, disinfectant, and defoliant. It generally gets into drinking water by runoff into surface water or leaching into groundwater. This chemical has been shown to produce adverse reproductive effects and to damage the liver and kidneys of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some

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- humans who were exposed to relatively large amounts of this chemical also suffered damage to the liver and kidneys. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for pentachlorophenol at 0.001 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to pentachlorophenol.
- 47) Styrene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that styrene is a health concern at certain levels of exposure. This organic chemical is commonly used to make plastics and is sometimes a component of resins used for drinking water treatment. Styrene may get into drinking water from improper waste disposal. This chemical has been shown to damage the liver and nervous system in laboratory animals when exposed at high levels during their lifetimes. USEPA has set the drinking water standard for styrene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to styrene.
- 48) Tetrachloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that tetrachloroethylene is a health concern at certain levels of exposure. This organic chemical has been a popular solvent, particularly for dry cleaning. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for tetrachloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to tetrachloroethylene.
- 49) Toluene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toluene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and in the manufacture of gasoline for airplanes. It generally gets into water by improper waste disposal or leaking underground storage tanks. This chemical has been shown to damage the kidney, nervous system, and circulatory system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, kidney and nervous system. USEPA has set the drinking water standard for toluene at 1 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water

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that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to toluene.

- 50) Toxaphene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toxaphene is a health concern at certain levels of exposure. This organic chemical was once a pesticide widely used on cotton, corn, soybeans, pineapples and other crops. When soil and climatic conditions are favorable, toxaphene may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for toxaphene at 0.003 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to toxaphene.

- 51) 2,4,5-TP. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4,5-TP is a health concern at certain levels of exposure. This organic chemical is used as a herbicide. When soil and climatic conditions are favorable, 2,4,5-TP may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4,5-TP at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4,5-TP.

- 52) Xylenes. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that xylene is a health concern at certain levels of exposure. This organic chemical is used in the manufacture of gasoline for airplanes and as a solvent for pesticides, and as a cleaner and degreaser of metals. It usually gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for xylene at 10 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to xylene.

- 53) Antimony. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that antimony is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and

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surface water and is often used in the flame retardant industry. It is also used in ceramics and glass, batteries, fireworks, and explosives. It may get into drinking water through natural weathering of rock, industrial production, municipal waste disposal, or manufacturing processes. This chemical has been shown to decrease longevity, and altered blood levels of cholesterol and glucose in laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for antimony at 0.006 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to antimony.

- 54) Beryllium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that beryllium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in electrical equipment and from mining operations, discharge from processing plants, and improper waste disposal. Beryllium compounds have been associated with damage to the bones and lungs and induction of cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. There is limited evidence to suggest that beryllium may pose a cancer risk via drinking water exposure. Therefore, USEPA based the health assessment on noncancer effects with an extra uncertainty factor to account for possible carcinogenicity. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for beryllium at 0.004 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to beryllium.

- 56) Cyanide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that cyanide is a health concern at certain levels of exposure. This inorganic chemical is used in electroplating, steel processing, plastics, synthetic fabrics, and fertilizer products. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the spleen, brain, and liver of humans fatally poisoned with cyanide. USEPA has set the drinking water standard for cyanide at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cyanide.

- 56) Nickel. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nickel is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is often used in electroplating, stainless steel, and alloy products. It generally gets into water from mining and refining operations. This chemical has been shown to damage the

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heart and liver in laboratory animals when the animals are exposed to high levels over their lifetimes. USEPA has set the drinking water standard at 0.1 parts per million (ppm) for nickel to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nickel.

57) Thallium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that thallium is a health concern at certain high levels of exposure. This inorganic chemical occurs naturally in soils, ground water, and surface water and is used in electronics, pharmaceuticals, and the manufacture of glass and alloys. This chemical has been shown to damage the kidney, liver, brain, and intestines of laboratory animals when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for thallium at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to thallium.

58) Benzol(a)pyrene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that benzol(a)pyrene is a health concern at certain levels of exposure. Cigarette smoke and charbroiled meats are common sources of general exposure. The major source of benzo(a)pyrene in drinking water is the leaching from coal tar lining and sealants in water storage tanks. This chemical has been shown to cause cancer in animals such as rats and mice when the animals are exposed to high levels. USEPA has set the drinking water standard for benzo(a)pyrene at 0.0002 parts per million (ppm) to protect against the risk cancer. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to benzo(a)pyrene.

59) dalonon. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dalapon is a health concern at certain levels of exposure. This organic chemical is a widely used herbicide. It may get into drinking water after application to control grasses in crops, drainage ditches, and along railroads. This chemical has been associated with damage to the kidney and liver in laboratory animals when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for dalapon at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dalapon.

60) Dichloromethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dichloromethane (methylene chloride) is a health concern at certain levels of exposure. This organic chemical is a widely used solvent. It is used in the manufacture of paint remover, as a metal degreaser, and as an aerosol propellant. It generally gets into water after improper discharge of waste disposal. This chemical has been shown to cause cancer in laboratory animals such

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as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for dichloromethane at 0.005 parts per million (ppm) to protect against the risk of cancer or other adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dichloromethane.

61) Di(2-ethylhexyl)adipate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that di(2-ethylhexyl)adipate is a health concern at certain levels of exposure. Di(2-ethylhexyl)adipate is a widely used plasticizer in a variety of products, including synthetic rubber, food packaging materials, and cosmetics. It may get into drinking water after improper waste disposal. This chemical has been shown to damage the liver and testes in laboratory animals such as rats and mice when the animals are exposed to high levels. USEPA has set the drinking water standard for di(2-ethylhexyl)adipate at 0.4 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to di(2-ethylhexyl)adipate.

62) Di(2-ethylhexyl)phthalate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that di(2-ethylhexyl)phthalate is a health concern at certain levels of exposure. Di(2-ethylhexyl)phthalate is a widely used plasticizer, which is primarily used in the production of polyvinyl chloride (PVC) resins. It may get into drinking water after improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for di(2-ethylhexyl)phthalate at 0.004 parts per million (ppm) to protect against the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to di(2-ethylhexyl)phthalate.

63) Dinoseb. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dinoseb is a health concern at certain levels of exposure. Dinoseb is a widely used pesticide and generally gets into water after application on orchards, vineyards, and other crops. This chemical has been shown to damage the thyroid and reproductive organs in laboratory animals such as rats exposed to high levels. USEPA has set the drinking water standard for dinoseb at 0.007 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dinoseb.

64) Diquat. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that diquat is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic

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weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney, and gastrointestinal tract and causes cataract formation in laboratory animals such as dogs and rats exposed at high levels over their lifetimes. USEPA has set the drinking water standard for diaquat at 0.02 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to diaquat.

651

Endothall. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that endothall is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control terrestrial and aquatic weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to damage the liver, kidney, gastrointestinal tract, and reproductive system of laboratory animals such as rats and mice exposed at high levels over their lifetimes. USEPA has set the drinking water standard for endothall at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to endothall.

661

Endrin. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that endrin is a health concern at certain levels of exposure. This organic chemical is a pesticide no longer registered for use in the United States. However, this pesticide is persistent in treated soils and accumulates in sediments and aquatic and terrestrial biota. This chemical has been shown to cause damage to the liver, kidney, and heart in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for endrin at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects that have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to endrin.

671

Glyphosate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that glyphosate is a health concern at certain levels of exposure. This organic chemical is a herbicide used to control grasses and weeds. It may get into drinking water by runoff into surface water. This chemical has been shown to cause damage to the liver and kidneys in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for glyphosate at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to glyphosate.

681

Hexachlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that hexachlorobenzene is a health concern at certain levels of exposure. This organic chemical is produced as an impurity in the manufacture of certain solvents and pesticides. This chemical has

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been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for hexachlorobenzene at 0.001 parts per million (ppm) to protect against the risk of cancer and other adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to hexachlorobenzene.

691

Hexachlorocyclopentadiene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that hexachlorocyclopentadiene is a health concern at certain levels of exposure. This organic chemical is a used as an intermediate in the manufacture of pesticides and flame retardants. It may get into water by discharge from production facilities. This chemical has been shown to damage the kidney and the stomach of laboratory animals when exposed to high levels during their lifetimes. USEPA has set the drinking water standard for hexachlorocyclopentadiene at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to hexachlorocyclopentadiene.

701

Oxamyl. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that oxamyl is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for the control of insects and other pests. It may get into drinking water by runoff into surface water or leaching into ground water. This chemical has been shown to damage the kidneys of laboratory animals such as rats when exposed at high levels during their lifetimes. USEPA has set the drinking water standard for oxamyl at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to oxamyl.

711

Picloram. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that picloram is a health concern at certain levels of exposure. This organic chemical is used as a pesticide for broadleaf weed control. It may get into drinking water by runoff into surface water or leaching into groundwater as a result of pesticide application and improper waste disposal. This chemical has been shown to cause damage to the kidneys and liver in laboratory animals such as rats when the animals are exposed to high levels during their lifetimes. USEPA has set the drinking water standard for picloram at 0.5 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to picloram.

721

Simazine. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that simazine is a health concern at certain levels of exposure. This

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organic chemical is a herbicide used to control annual grasses and broadleaf weeds. It may leach into groundwater or run off into surface water after application. This chemical may cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for simazine at 0.004 parts per million (ppm) to reduce the risk of cancer or adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to simazine.

1.2,4-Trichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2,4-trichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a dye carrier and as a precursor in herbicide manufacture. It generally gets into drinking water by discharges from industrial activities. This chemical has been shown to cause damage to several organs, including the adrenal glands. USEPA has set the drinking water standard for 1,2,4-trichlorobenzene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,2,4-trichlorobenzene.

1,1,2-Trichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,2-trichloroethane is a health concern at certain levels of exposure. This organic chemical is an intermediate in the production of 1,1-dichloroethylene. It generally gets into water by industrial discharge of wastes. This chemical has been shown to damage the kidney and liver of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for 1,1,2-trichloroethane at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,1,2-trichloroethane.

2,3,7,8-TCDD (dioxin). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that dioxin is a health concern at certain levels of exposure. This organic chemical is an impurity in the production of some pesticides. It may get into drinking water by industrial discharge of wastes. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels during their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for dioxin at 0.00000003 parts per million (ppm) to protect against the risk of cancer or other adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to dioxin.

BOARD NOTE: Derived from 40 CFR 141.32(e) (1992), as amended at

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57 Fed. Reg. 31843 (July 17, 1992).

(Source: Amended at 17 Ill. Reg. _____, effective _____)
Section 611.301. Table 2 Federal Effective Dates

The following are the effective dates of the federal MCLs:

| | |
|---|------------------|
| Fluoride (40 CFR 141.60(b)(1)) (corresponding with Section 611.301(b)) | October 2, 1987 |
| Phase I VOCs (40 CFR 141.60(a)(1)) (corresponding with Section 611.311(a)) (benzene, carbon tetrachloride, p-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethylene, 1,1,1-trichloroethane, trichloroethylene, and vinyl chloride) | July 9, 1989 |
| Lead and Copper (40 CFR, Subpart I) (corresponding with Subpart G of this Part) (lead and copper monitoring, reporting, and recordkeeping requirements of 40 CFR 141.86 through 141.91) | July 7, 1991 |
| Phase II IOCs (40 CFR 141.60(b)(2)) (corresponding with Section 611.301(b)) (asbestos, cadmium, chromium, mercury, nitrate, nitrite, and selenium) | July 30, 1992 |
| Phase II VOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(a)) (o-dichlorobenzene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, 1,2-dichloropropane, ethylbenzene, monochlorobenzene, styrene, tetrachloroethylene, toluene, and xylenes (total)) | July 30, 1992 |
| Phase II SOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(c)) (alachlor, atrazine, carbofuran, chlordane, dibromochloropropane, ethylene dibromide, heptachlor, heptachlor epoxide, lindane, methoxychlor, polychlorinated biphenyls, toxaphene, 2,4-D, and 2,4,5-Tp (Silvex)) | July 30, 1992 |
| Lead and Copper (40 CFR, Subpart I) (corresponding with Subpart G of this Part) (lead and copper corrosion control, water treatment, public education, and lead service line replacement requirements of 40 CFR 141.81 through 141.85) | December 7, 1992 |
| Phase IIB IOC (40 CFR 141.60(b)(2)) (corresponding with Section 611.301(b)) (barium) | January 1, 1993 |
| Phase IIB SOCs (40 CFR 141.60(a)(2)) (corresponding with Section 611.311(c)) (aldicarb, aldicarb sulfone, aldicarb sulfide, and pentachlorophenol; USEPA stayed the effective date as to the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfide, but the monitoring requirements became effective January 1, 1993) | January 1, 1993 |
| Phase V IOCs (40 CFR 141.60(b)(3)) | January 17, 1994 |

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(corresponding with Section 611.301(b))
(antimony, beryllium, cyanide, nickel, and thallium)

Phase V VOCs (40 CFR 141.60(a)(3))
(corresponding with Section 611.311(a))
(dichloromethane, 1,2,4-trichlorobenzene, and 1,1,2-trichloroethane)
January 17, 1994

Phase V SOCs (40 CFR 141.60(a)(3))
(corresponding with Section 611.311(c))
(benzofalpyrene, dalapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, dinoseb, diquat, endothall, endrin, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, oxamyl, picloram, simazine, and 2,3,7,8-TCDD)
January 17, 1994

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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1) Heading of the Part: SAMPLING AND MONITORING

2) Code Citation: 35 Ill. Adm. Code 605

3) Section Numbers: Proposed Action:
605.109 Repeal

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111½, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27].

5) A Complete Description of the Subjects and Issues Involved:

A more detailed description is contained in the Board's Opinion of May 5, 1993 in R93-1, which Opinion is available from the address below. Sections 7.2 and 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, par. 1007.2 and 1017.5 [415 ILCS 5/7.2 and 5/17.5]) provide that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

In R88-26 (14 Ill. Reg. 16517, effective September 20, 1990), as part of the Phase I Rules, the Board adopted Subpart B (Filtration and Disinfection) and Subpart L (Microbiological Monitoring and Analytical Requirements) to Part 611. This meant the repeal of most of Part 605, since those segments were inconsistent with the newer, federally-derived regulations of Part 611. However, USEPA imposed delayed effective dates as to disinfection for various suppliers, based on the supplier's raw water source. Rather than have no standards until the effective dates of the federally-derived standards, the Board chose to have certain provisions in Part 605 expire when the federally-derived standards became effective.

For this reason, the Board amended all remaining sections in Part 605, Sections 605.101, 605.102, and 605.109, so that they lost effect when the federally-derived standards of Subpart B to Part 611 became effective as to any particular supplier. Subpart B derived primarily from 40 CFR 141.70 through 141.73 and 141.75. In docket R92-3 (adopted contemporaneously with this proposed repeal), the Board repealed Sections 605.101 and 605.102, rather than correct the references in Part 605 to "35 Ill. Adm. Code 611. Subpart B" to properly read "35 Ill. Adm. Code 611. Subpart L", because the federal monitoring requirements supplanting them were already in effect. Section 605.109 was left intact as effective until the standards of Subpart B of Part 611 became effective.

The latest effective dates for the newer federally-derived filtration and disinfection rules appear to run on June 29, 1993. A SWS supplier using filtration was to begin providing disinfection treatment no later than the later of June 29, 1993 or when filtration was installed. If a SWS failed to meet certain conditions, it was to have employed both filtration and disinfection by the later of June 29, 1993 or within 18 months of the failure to meet the conditions. On the face of this, only those who install filtration later than 18 months before June 29, 1993 might achieve a later compliance deadline. The Board is unaware of any suppliers that actually fall within this group. For GWSS, a SWS supplier that was found by the state to be under the direct influence of

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surface water was to employ disinfection by the later of June 29, 1993 or when filtration was installed. Again, the Board is unaware of any GWS suppliers that fall into this later group. Since it appears that all SWS and GWS suppliers in Illinois are required to employ disinfection by June 29, 1993, we propose the repeal of this Part because it loses effect when the filtration and disinfection provisions of 35 Ill. Adm. Code 611. Subpart B become effective as to any particular supplier.

6) Will this proposed repeal replace emergency amendments currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed repeal contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 17.5 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. This rulemaking imposes mandates on units of local government to the extent they supply drinking water to at least 25 of the same persons over 6 months per year.

11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R93-1 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 10, 1993.

B) Types of small businesses affected:

This rulemaking will affect only those small businesses that supply drinking water to at least 25 of the same persons over 6 months per year.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing drinking water rules of 35 Ill. Adm. Code 611 impose significant reporting, bookkeeping, and other procedures on small businesses that supply drinking water to at least 25 of the same persons over 6 months per year. The proposed repeal will neither add to nor detract from that existing burden because the repeal

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will not affect the applicability of the Part 611 requirements.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules of 35 Ill. Adm. Code 611 may require small businesses that supply drinking water to at least 25 of the same persons over 6 months per year to employ the services of an attorney, certified public accountant, chemist and registered professional engineer. The proposed repeal will neither add to nor detract from that existing burden because the repeal will not affect the applicability of the Part 611 requirements.

The full text of the proposed repeal begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER 1: POLLUTION CONTROL BOARD

PART 605

SAMPLING AND MONITORING (REPEALED)

- Section
605-101 Frequency of Bacteriological Sampling
605-102 Minimum Allowable Monthly Sample for Bacteriological Analysis
605-103 Frequency of Chemical Analysis Sampling (Repealed)
605-104 Frequency of Trichloroethane Analysis Sampling (Repealed)
605-105 Monitoring Requirements for Radium-226, 228 and Gross Alpha Particulate Activity (Repealed)
605-106 Monitoring Frequency for Radium-226, 228 and Gross Alpha Particulate Activity (Repealed)
605-107 Monitoring Requirements for Man-Made Radioactivity (Repealed)
605-108 Monitoring Frequency for Man-Made Radioactivity (Repealed)
605-109 Surface Water Supplies Additional Monitoring Requirements
605-110 Modification of Monitoring Requirements (Repealed)
605-Appendix A References to Former Rules (Repealed)

AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111, pars. 1017 and 1027 (415 ILCS 5/17 and 27)).

SOURCE: Filed with Secretary of State January 1, 1978, amended at 2 Ill. Reg. 36, p. 72, effective August 29, 1978, amended and codified at 6 Ill. Reg. 11407, effective September 14, 1982, amended at 6 Ill. Reg. 14244, effective November 3, 1982, amended in R84-12 at 14 Ill. Reg. 605, effective January 3, 1990, amended at 14 Ill. Reg. 16642, effective September 20, 1990, REPEALED IN R81-1 at 17 Ill. Reg.

Section 605-101 Frequency of Bacteriological Sampling

This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611-Subpart B as applicable to each supply.

- a) Representative samples of the finished water from the distribution system are to be submitted monthly by each supply owner, official custodian, or his authorized personnel to a certified laboratory for bacteriological analysis.

1) The minimum number of samples to be submitted monthly is dependent upon the population served as shown in Section 605-102.

2) A greater number of samples may be required by the Environmental Protection Agency (Agency) to be analyzed each month.

- b) The owner, official custodian, or authorized personnel of any community water supply which is exempt from chlorination pursuant to 35 Ill. Adm. Code 604-403 shall submit samples to a certified laboratory for bacteriological analysis at least twice a month. Each submission shall consist of the minimum number of samples

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shown in Section 605-102 plus raw water samples of a sufficient number to assure that each active well is sampled at least monthly.

- e) It shall be the responsibility of the supply to have the analyses performed either at its own certified laboratory or at any other certified laboratory. The Agency may require that some or all of the monthly samples be submitted to its laboratories.

(Source: Amended at 14 Ill. Reg. 16642, effective September 20, 1990)

Section 605-102 Minimum Allowable Monthly Samples for Bacteriological Analysis

This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611-Subpart B as applicable to each supply.

Population Served Minimum Number of Samples per Month

| | |
|------------------|----|
| 25 to 100 | 1 |
| 101 to 2,500 | 2 |
| 2,501 to 3,200 | 3 |
| 3,201 to 4,100 | 4 |
| 4,101 to 4,900 | 5 |
| 4,901 to 5,800 | 6 |
| 5,801 to 6,700 | 7 |
| 6,701 to 7,600 | 8 |
| 7,601 to 8,500 | 9 |
| 8,501 to 9,400 | 10 |
| 9,401 to 10,300 | 11 |
| 10,301 to 11,100 | 12 |
| 11,101 to 12,000 | 13 |
| 12,001 to 12,900 | 14 |
| 12,901 to 13,700 | 15 |
| 13,701 to 14,600 | 16 |
| 14,601 to 15,500 | 17 |
| 15,501 to 16,300 | 18 |
| 16,301 to 17,200 | 19 |
| 17,201 to 18,100 | 20 |
| 18,101 to 19,000 | 21 |
| 19,001 to 19,800 | 22 |
| 19,801 to 20,700 | 23 |
| 20,701 to 21,500 | 24 |
| 21,501 to 22,300 | 25 |
| 22,301 to 23,200 | 26 |
| 23,201 to 24,000 | 27 |
| 24,001 to 24,900 | 28 |
| 24,901 to 25,000 | 29 |
| 25,001 to 26,000 | 30 |
| 26,001 to 27,000 | 35 |
| 27,001 to 27,000 | 40 |
| 27,001 to 41,000 | 45 |
| 41,001 to 46,000 | 50 |
| 46,001 to 50,000 | 55 |
| 50,001 to 54,000 | 60 |
| 54,001 to 59,000 | 65 |

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59,001 to 64,000 70
64,001 to 70,000 75
70,001 to 76,000 80
76,001 to 83,000 85
83,001 to 90,000 90
90,001 to 96,000 95
96,001 to 111,000 100
111,001 to 130,000 110
130,001 to 160,000 120
160,001 to 190,000 130
190,001 to 220,000 140
220,001 to 250,000 150
250,001 to 290,000 160
290,001 to 320,000 170
320,001 to 360,000 180
360,001 to 410,000 190
410,001 to 450,000 200
450,001 to 500,000 210
500,001 to 560,000 220
560,001 to 600,000 230
600,001 to 660,000 240
660,001 to 720,000 250
720,001 to 780,000 260
780,001 to 840,000 270
840,001 to 910,000 280
910,001 to 970,000 290
970,001 to 1,050,000 300
1,050,001 to 1,140,000 310
1,140,001 to 1,230,000 320
1,230,001 to 1,320,000 330
1,320,001 to 1,420,000 340
1,420,001 to 1,520,000 350
1,520,001 to 1,630,000 360
1,630,001 to 1,730,000 370
1,730,001 to 1,850,000 380
1,850,001 to 1,970,000 390
1,970,001 to 2,060,000 400
2,060,001 to 2,270,000 410
2,270,001 to 2,510,000 420
2,510,001 to 2,750,000 430
2,750,001 to 3,020,000 440
3,020,001 to 3,320,000 450
3,320,001 to 3,620,000 460
3,620,001 to 3,960,000 470
3,960,001 to 4,310,000 480
4,310,001 to 4,690,000 490
4,690,001 or more 500

~~(Source: Amended at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-103—Frequency of Chemical Analysis Sampling (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-104—Frequency of Trihalomethane Analysis Sampling (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEAL

~~Section 605-105—Monitoring Requirements for Radium-226, 228 and Gross Alpha Particle Activity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-106—Monitoring Frequency for Radium-226, 228 and Gross Alpha Particle Activity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-107—Monitoring Requirements for Man-Made Radioactivity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-108—Monitoring Frequency for Man-Made Radioactivity (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-109—Surface Water Supplies Additional Monitoring Requirements~~
~~This Section applies until the effective date for the filtration and disinfection requirements of 15 Ill. Adm. Code 611 Subpart B as applicable to each supply. Owners or official custodians of community water supplies utilizing surface water sources shall ensure:~~

- ~~a) that finished water samples are taken at representative entry points to the distribution system at least once per day; and~~
- ~~b) that a turbidity analysis is performed on each of the samples immediately. The analysis of the samples shall be done by an individual who has been approved by the Agency as qualified to make this analysis.~~

~~(Source: Amended at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-110—Modification of Monitoring Requirements (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

~~Section 605-Appendix A—References to Former Rules (Repealed)~~

~~(Source: Repealed at 14 Ill. Reg. 16642, effective September 20, 1990)~~

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Aid To Families With Dependent Children

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Number:
112.144
Proposed Action:
Amendment

4) Statutory Authority: Article IV and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13)[305 ILCS 5/4-1 et seq. and 5/12-13]

5) Complete Description of the Subjects and Issues Involved: This rulemaking exempts income received under Title I of the National and Community Service Act of 1990. These programs include Serve America, Higher Education Innovative Projects, American Conservation and Youth Corps Programs and National and Community Service Programs.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

| Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|------------------------------------|
| 112.78 | Amendment | April 9, 1993 (17 Ill. Reg. 5436) |
| 112.145 | Amendment | April 9, 1993 (17 Ill. Reg. 5436) |
| 112.151 | Amendment | April 9, 1993 (17 Ill. Reg. 5436) |
| 112.250 | Amendment | January 4, 1993 (17 Ill. Reg. 46) |
| 112.252 | Amendment | January 4, 1993 (17 Ill. Reg. 46) |
| 112.253 | Amendment | January 4, 1993 (17 Ill. Reg. 46) |
| 112.254 | Amendment | January 4, 1993 (17 Ill. Reg. 46) |
| 112.370 | New Section | April 16, 1993 (17 Ill. Reg. 6026) |

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable

B) Types of small businesses affected: None

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112

AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section
112.1 Description of the Assistance Program
112.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
112.61 Death of a Parent
112.62 Incapacity of a Parent
112.63 Continued Absence of a Parent
112.64 Unemployment of the Parent

SUBPART C: PROJECT CHANCE

Section
112.70 Participation Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Initial Assessment Process/Development of an Employability Plan
112.76 Project Chance Orientation
112.77 Conciliation and Fair Hearings
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply With Project Chance Participation Requirements
112.81 Responsible Relative Eligibility For Project Chance

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112.82 Project Chance Supportive Services
112.83 Young Parents Program
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section
112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section
112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section
112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Earmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income
112.133 Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

112.136 Budgeting Earned Income For Non-Contractual School Employees
 112.137 Termination of Employment
 112.138 Transitional Payments (Repealed)
 112.140 Exempt Earned Income
 112.141 Earned Income Exemption
 112.142 Exclusion From Earned Income Exemption
 112.143 Recognized Employment Expenses
 112.144 Income From Work/Study/Training Program
 112.145 Earned Income From Self-Employment
 112.146 Earned Income From Roomer and Boarder
 112.147 Income From Rental Property
 112.148 Payments from the Illinois Department of Children and Family Services
 112.149 Earned Income In-Kind
 112.150 Assets
 112.151 Exempt Assets
 112.152 Asset Disregards
 112.153 Deferral of Consideration of Assets
 112.154 Property Transfers (Repealed)
 112.155 AFDC Income Limit

SUBPART H: PAYMENT AMOUNTS

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 112.250
 112.251
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Grant Levels
 Payment Levels in AFDC
 Payment Levels in AFDC Group I Counties
 Payment Levels in AFDC Group II Counties
 Payment Levels in AFDC Group III Counties

SUBPART I: OTHER PROVISIONS

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 112.301
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 112.306
 112.307
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 112.320
 112.330

Persons Who May Be Included in the Assistance Unit
 Presumptive Eligibility
 Monthly Reporting
 Retrospective Budgeting
 Budgeting Schedule
 Strikers
 Foster Care Program
 Responsibility of Sponsors of Aliens
 Special Needs Authorizations
 Institutional Status
 Young Parent Program (Renumbered)
 Redetermination of Eligibility
 Extension of Medical Assistance Due to Increased Income from Employment

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NOTICE OF PROPOSED AMENDMENTS

112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities

SUBPART J: CHILD CARE

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 112.350
 112.352
 112.354
 112.356
 112.358
 112.362
 112.364
 112.366
 112.370
 EMERGENCY

Child Care
 Child Care Eligibility
 Qualified Provider
 Notification of Available Services
 Participant Rights and Responsibilities
 Additional Service to Secure or Maintain Child Care Arrangements
 Rates of Payment for Child Care
 Method of Providing Child Care
 Non-JOBS Education and Training Program

SUBPART K: TRANSITIONAL CHILD CARE

Section
 112.400
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Transitional Child Care Eligibility
 Duration of Eligibility for Transitional Child Care
 Loss of Eligibility for Transitional Child Care
 Qualified Child Care Providers
 Notification of Available Services
 Participant Rights and Responsibilities
 Child Care Overpayments and Recoveries
 Fees for Service for Transitional Child Care
 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13) [305 ILCS 5/4-1 et seq. and 5/12-13]

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3

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NOTICE OF PROPOSED AMENDMENTS

Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827 effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.144 Income From Work/Study/Training Program

- a) Income received from on-the-job training programs through WDP shall

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 112.144(a) (continued)

be considered earned income. The earned income exemption and recognized employment expenses shall be deducted.

- b) Income from college work-study is considered exempt income.
- c) Earned income received through the Job Training Partnership Act by all dependent children is exempt for six (6) months each year from comparison to 150% of the Standard of Need.
- d) Earned income received through the Job Training Partnership Act by dependent children who are full-time students or who are part time students and not employed full-time (working 100 hours or more per month) is exempt in determining the AFDC grant (see Section 112.140 for a definition of "part-time student" and "full-time student"). Participants in Job Corps are considered students.
- e) Earned income received through the Job Training Partnership Act by dependent children who are not students as described in (d) above is exempt for only six months each year in determining the AFDC grant.
- f) Unearned income such as need based payments, cash assistance, compensation in lieu of wages and allowances received through the Jobs Training Partnership Act.
- g) Earnings, allowances and payments under Title I of the National and Community Service Act of 1990. The exempt programs include Serve America, Higher Education Innovative Projects, American Conservation and Youth Programs and National and Community Service Programs.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Aid to the Aged, Blind or Disabled

2) Code Citation: 89 Ill. Adm. Code 113

3) Section Numbers: Proposed Action:

113.113 Amendment
113.141 Amendment

4) Statutory Authority: Article III and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq. and 12-13)[305 ILCS 5/3-1 et seq. and 5/12-13]

5) Complete Description of the Subjects and Issues Involved: These proposed amendments are required to conform to Public Laws 102-237 and 101-610 regarding the exemption of income and assets under the Plan to Achieve Self-Support (PASS) and the exemption of payments under Title I of the National and Community Service Act of 1990. The purpose of the PASS program is to help individuals achieve self-support. The PASS provision is available to Supplemental Security Income (SSI) recipients who are disabled or blind. With Social Security Administration's approval, a PASS allows these individuals the opportunity to set aside income and resources for education, vocational training, starting a business, or other activities that would help lead to self-sufficiency. The money thus set aside is not counted toward SSI eligibility. This rulemaking exempts PASS funds and income received under Title I of the National and Community Service Act of 1990.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable

B) Types of small businesses affected: None

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

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NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

Budgeting Earned Income For Non-contractual School Employees
Termination of Employment

PART 113

AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section

113.1 Description of the Assistance Program
113.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

113.9 Client Cooperation
113.10 Citizenship
113.20 Residence
113.30 Age
113.40 Blind
113.50 Disabled
113.60 Living Arrangement
113.70 Institutional Status
113.80 Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

113.100 Unearned Income
113.101 Budgeting Unearned Income
113.102 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.103 Initial Receipt of Unearned Income
113.104 Termination of Unearned Income
113.105 Unearned Income In-Kind
113.106 Earmarked Income
113.107 Lump Sum Payments and Income Tax Refunds
113.108 Protected Income (Repealed)
113.109 Earned Income (Repealed)
113.110 Budgeting Earned Income (Repealed)
113.111 Protected Income
113.112 Earned Income
113.113 Exempt Unearned Income
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113.301 Grandfathered Cases
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113.308 Excess Shelter Allowance
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113.405 Pending SSI Application
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AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq. and 12-13) [305 ILCS 5/3-1 et seq. and 5/12-13]

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 15, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3

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Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive change) at 8

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Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg.

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1986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.113 Exempt Unearned Income

The following unearned income is exempt from consideration in determining eligibility for assistance and the amount of the assistance payment.

- a) The value of the coupon allotment under the Food Stamp Act of 1977 (7 U.S.C. 2017(b));
- b) The value of the U.S. Department of Agriculture donated foods (surplus commodities);
- c) The value of home produce which is used for personal consumption;
- d) The value of supplemental food assistance received under the Child Nutrition Act of 1966 as amended (42 U.S.C. 1780(b)), and the special food service program for children under the National School Lunch Act as amended (42 U.S.C. 1760);
- e) Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended, (42 U.S.C. 3045 et seq.);
- f) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636);
- g) Any funds distributed per capita or held in trust for members of any Indian Tribe under P.L. 92-254, P.L. 93-134, or P.L. 94-540;
- h) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (42 U.S.C. 1601 et seq.);

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Section 113.113 (continued)

- i) Any compensation provided to individual volunteers under the Retired Senior Volunteer Program and the Foster Grandparent Program and Older Americans Community Service Programs established under Title VI of the Older Americans Act of 1965, as amended (42 U.S.C. 3045 et seq.);
- j) Payments to Volunteers under the 1973 Domestic Volunteer Service Act (48 U.S.C. 5044(q)). These include:
 - 1) Vista Volunteers; and
 - 2) Volunteers serving as senior health aides, senior companions, foster grandparents, or persons serving in the Service Corps of Retired Executives (SCOPE) or the Active Corps of Executives (ACE).
- k) Income received under the provisions of the Illinois "Senior Citizens and Disabled Persons Property Tax Relief Act" (Ill. Rev. Stat. 1991, ch. 67 1/2, pars. 401 et seq.). This includes both the benefits commonly known as the "circuit breaker" and "additional grants";
- l) Social Security death benefit expended on a funeral and/or burial;
- m) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437(f));
- n) Any payments distributed per capita or held in trust for members of Indian tribes under Section 5 of P.L. 94-114 that became effective October 17, 1975;
- o) SSI lump sum payments received by MANG participants who reside in the community (not residing in a long term care facility, DMHDD facility or other medical facility);
- p) Any adoption subsidy received from DCFS;
- q) Any foster care payment received from DCFS except independent living arrangement payments;
- r) Title IV-E adoption assistance or foster care payment received from a state welfare agency of another state are exempt for MANG;
- s) Any payment received from the Self Sufficiency Trust Fund established in accordance with ch. 91 1/2, par. 5-118;

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Section 113.113 (continued)

- t) Any payment received under Title I of P.L. 100-383, the Civil Liberties Act of 1988, which provides that restitution shall be made to United States citizens and permanent resident aliens of Japanese ancestry who were interned during World War II;
 - u) Any payment received under Title II of P.L. 100-383, the Aleutian and Pribilof Islands Restitution Act, which provides that restitution shall be made to any Aleut living on the date of enactment of P.L. 100-383 (August 10, 1988) who, as a civilian, was relocated by authority of the United States from his or her home village on the Pribilof Islands or the Aleutian Islands west of Unimak Island to an internment camp, or other temporary facility or location during World War II; or who was born while his or her natural mother was subject to such relocation;
 - v) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201; and
 - w) Payments received under the Radiation Exposure Compensation Act.
 - x) Money received from the Social Security Administration under a Plan to Achieve Self-Support (PASS).
 - y) Earnings, Allowances, and Payments received under Title I of the National and Community Service Act of 1990.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 113.141 Exempt Assets

- a) The following assets are exempt from consideration in determining eligibility for assistance and the amount of the assistance payment:
 - 1) Homestead property
 - 2) Personal Property
- A) Personal effects extraordinarily and household goods of reasonable value (reasonable value means the client's equity value in such property does not exceed \$2,000). Wedding and engagement rings and items required due to medical or physical condition.

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Section 113.141(a)(2) (continued)

- B) Regardless of the value, personal effects and household goods are exempt in determining the amount allowed as the Community Spouse Asset Allowance (as described at 89 Ill. Adm. Code 120.386).
- 3) Resources (e.g., land, buildings, equipment and supplies or tools) necessary for self-support up to \$6,000 of the individual's equity in the income producing property, provided the property produces a net annual income of at least 6% of the excluded equity value of the property. The equity value in excess of \$6,000 is applied toward the asset disregard. If the activity produces income less than 6% of the exempt equity due to reasons beyond the individual's control (for example, the individual's illness or crop failure) and there is a reasonable expectation that the individual's activity will increase to produce income equal to 6% of the equity value (e.g., the medical prognosis is that the individual is expected to respond to treatment or drought resistance corn will be planted), the property is exempt. If the individual owns more than one piece of property and each produces income, each is looked at to see if the 6% rule is met and then the amount of the individual's equity in all of those properties are totalled to see if the total equity is \$6,000 or less.
- 4) Automobile
- A) exclude one automobile, regardless of value, used by the client, spouse, or other dependent if:
- i) it is necessary for employment;
 - ii) it is necessary for the medical treatment of a specific or regular medical problem;
 - iii) it is modified for operation by or transportation of a handicapped person;
 - iv) it is necessary because of factors such as climate, terrain or distance to provide necessary transportation to perform essential daily activities; or
 - v) one vehicle for each spouse is exempt in determining the amount allowed as the Community Spouse Asset Allowance (as described at 89 Ill. Adm. Code 120.386).

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Section 113.141(a)(4) (continued)

- B) if not excluded in subsection (a)(4)(A) above exclude one automobile to the extent the fair market value does not exceed \$4500. Apply the excess fair market value toward the asset disregard (see Section 113.142). The Department will determine fair market value in accordance with 89 Ill. Adm. Code 121.57(b)(2)(D)(iv).
- C) for all other automobiles, apply the equity value (fair market value minus any encumbrance) toward the asset disregard (see Section 113.142).
- 5) Life insurance policies with a total face value of \$1,500 or less and all term life insurance policies. If total face value exceeds \$1,500, the cash surrender value must be counted as a resource.
- b) Burial spaces and funds are exempt as follows:
- 1) Burial spaces which are intended for the use of the individual, his or her spouse, or any other member of his or her immediate family (i.e., immediate family is defined as an individual's minor and adult children, including adopted children and step-children, an individual's brothers, sisters, parents, adoptive parents, and the spouses of these individuals).
 - 2) Funds set aside for the burial expenses of the individual and his or her spouse, subject to a limit of \$1,500 each. This limit will be reduced by the face value of any excluded life insurance policy and the amount of any funds held in an irrevocable trust or other irrevocable arrangement which are available for burial expenses.
 - 3) Interest earned on excluded burial funds and appreciation in the value of excluded burial arrangements which occurred the earlier of the date of first SSI eligibility or the date of AABD eligibility, but no earlier than November 1, 1982 (see 20 CFR 416.1231(b)(5)(1989)).
- c) Assets necessary for fulfillment of an approved plan for achieving self support.
- d) Trust funds are exempt as follows:
- 1) The principal of a trust fund only when the instrument establishing the trust specifically states the principal cannot be impaired.

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NOTICE OF PROPOSED AMENDMENTS

Section 113.141(d) (continued)

- 2) The principal of a trust fund established under the Self Sufficiency Trust Fund Program (Section 5-118 of the Mental Health and Developmental Disabilities Code, Ill. Rev. Stat. 1989, ch. 91 1/2, par. 5-118).
- e) Assets excluded by express provision of 20 CFR 416.1236(1989).
- f) Donations or benefits from fund raisers held for a seriously ill client provided the client or a responsible relative of the client does not have control (e.g., not available to the client or the responsible relative) over the donations or benefits or the disbursement of donations or benefits.
- g) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201.
- h) Money received from the Social Security Administration under a Plan to Achieve Self-Support (PASS) and held in a separate account.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Firearm Owner's Identification Act
- 2) Code Citation: 20 Ill. Adm. Code 1230
- 3) Section Numbers:

| | |
|----------------|-------------------------|
| 1230.10 | <u>Proposed Action:</u> |
| 1230.20 | Amendment |
| 1230.30 | Amendment |
| 1230.40 | Renumbered, New Section |
| 1230.50 | Renumbered, Amendment |
| 1230.60 | New Section |
| 1230.70 | New Section |
| 1230.80 | New Section |
| 1230.90 | Renumbered, Amendment |
| 1230.100 | New Section |
| 1230.Exhibit A | Repealed |
| 1230.Exhibit B | Repealed |
- 4) Statutory Authority: Implementing and authorized by The Firearm Owner's Identification Card Act (Ill. Rev. Stat. 1991, ch. 38, pars. 83-1 et seq.) [430 ILCS 65/1 et seq.].
- 5) A Complete Description of the Subjects and Issues Involved: These proposed amendments update, clarify, and improve application procedures for obtaining a Firearm Owner's Identification Card. They also describe appeal and hearing procedures in cases of denial and revocation.
- 6) Will this proposed rule replace an emergency rule currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rule contain incorporations by reference? No.
- 9) Are there any other amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: These amendments have no effect on local governmental units.
- 11) Time, place, and manner in which interested persons may comment on this proposed rulemaking: Within 14 days of the date of publication of this Notice, any interested person may request the opportunity to submit comments, data, views, or argument regarding the proposed rules. The request and submissions must be in writing and directed to: Mr. James W. Redlich, Chief Legal Counsel, Illinois State Police, 201 Armory Building, P.O. Box 19461, Springfield, Illinois 62794-9461, 217/782-7658.

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NOTICE OF PROPOSED RULES

The Department will consider any written submissions or comments if the request to comment is mailed within 14 days of the date of publication of this Notice and is received in writing by the Department within 30 days of the date of publication of this Notice.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Rules begins on the next page.

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1230

FIREARM OWNER'S IDENTIFICATION CARD ACT

Section

| | |
|-----------|--|
| 1230.10 | Definitions |
| 1230.20 | Application Form Procedures |
| 1230.30 | Duration and Renewal of Identification Card |
| 1230.40 | Denial---of---Application---or---Revocation---and---Seizure---of Identification-Card Sponsorship of a Minor |
| 1230.4050 | Certification Denial of Application or Revocation and Seizure of Identification Card |
| 1230.60 | Notification of Grounds for Denial of Application and Revocation and Seizure of Identification Card |
| 1230.70 | Appeal |
| 1230.80 | Judicial Review |
| 1230.5090 | Certification |
| 1230.100 | Reduction of Remittance |
| EXHIBIT A | Application for Firearm Owner's Identification Card (Form FOID 1.2) (Repealed) |
| EXHIBIT B | Certification (Repealed) |

AUTHORITY: Implementing and authorized by "An Act relating to the acquisition, possession and transfer of firearms and firearm ammunition, to provide a penalty for the violation thereof and to make an appropriation in connection therewith" The Firearm Owner's Identification Card Act (Ill. Rev. Stat. 198391, ch. 38, pars. 83-1 et seq.) [430 ILCS 65/1 et seq.].

SOURCE: Filed March 8, 1973; codified at 7 Ill. Reg. 9557; amended at 8 Ill. Reg. 21306, effective October 10, 1984; recodified from the Department of Law Enforcement to the Department of State Police at 10 Ill. Reg. 3279; amended at 17 Ill. Reg. _____, effective _____.

Section 1230.10 Definitions

As used in this Part, the following terms definitions are--used--as hereinafter-defined apply unless the context clearly requires a different meaning:

The term "Act" refers to Senate Bill 1350, approved August 3, 1967 means Firearm Owner's Identification Card Act (Ill. Rev. Stat. 198191, ch. 38, pars. 83-1 et seq.) [430 ILCS 65/1 et seq.]. 7 also known as the Firearm Owner's Identification Act.

The term "Applicant" refers to means an applicant for a Firearm Owner's Identification Card.

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The term "application" is defined as the form provided by the Division for use of the applicant in making application to the Division for issuance of a firearm owner's identification card. The form is filed under Exhibit A7 is titled "Firearm Owner's Identification Application" and carries the form number F01B-1. Subsequent revisions of the form will be designated by numbering such revisions as F01B-1-1, 1-2, 1-3, etc.

The term "Department" refers to means the Department of Law Enforcement, State Police State of Illinois.

"Director" means the Director of State Police.

The term "Division" refers to the Firearm Owner's Identification Division, the administrative branch of the Department created to administer the Act.

The terms "firearm" and "firearm ammunition" are mean the terms used as defined in Section 83-1.1 [Section 65/1.1] of said the Act.

The term "Firearm Owner's Identification Card" is means the term used as defined in Section 83-6 [Section 65/6] of said the Act.

"Law enforcement official" means any peace officer, warden, superintendent, or keeper of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of a criminal offense, and employees of police laboratories having a department or section of forensic firearm identification.

Mental institution means any medical facility or part of any medical facility used primarily for the care or treatment of persons for mental illness.

Mentally retarded means a person who has significantly subaverage general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years.

Narcotics means any substance controlled by the Controlled Substances Act.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1230.20 Application Form Procedures

The form for making application to the Division for issuance of a Firearm Owner's Identification Card is the Application for Firearm Owner's

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED AMENDMENTS

Identification Form F01B-1 or as subsequently numbered in accordance with the explanation filed in Section 1230.10. A copy of F01B-1 is affixed herewith. (Exhibit A)

Application for a Firearm Owner's Identification Card will be made by completing an application form provided by the Department. These forms will be made available through the Firearm Owner's Identification Section, P.O. Box 3677, Springfield, Illinois 62708-3677. In order to be processed, all forms must be properly completed and be accompanied by the correct fee.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1230.30 Duration and Renewal of Identification Card

After the expiration of 5 years, which is the duration of the Firearm Owner's Identification Card, a renewal of the Firearm Owner's Identification Card shall be accomplished by the filing of a Firearm Owner's Application for renewal of his identification card during the month of his first birthday following the 5-year expiration period. A Firearm Owner's Identification Card shall expire on the first day of the first month after the applicant's birthday, five years after issuance. The Department shall, at least 30 days prior to the expiration of a Firearm Owner's Identification Card, forward to the last known address of each person whose Firearm Owner's Identification Card is to expire, a notification of the expiration and an application which may be used to apply for renewal. It is the registrant's responsibility to notify the Department in writing of the registrant's change of address.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1230.40 Denial of Application or Revocation and Seizure of Identification Card Sponsorship of a Minor

The Division will deny application for or revoke and seize a Firearm Owner's Identification Card if the Division finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

- a) A person under 21 years of age and has been convicted of a misdemeanor other than a traffic offense or has been adjudged delinquent;
- b) A person under 21 years of age and does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent has revoked such written consent or where such parent or guardian does not have a currently valid Firearm Owner's Identification Card;

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- c) A person convicted of a felony under the law of this or any other jurisdiction within the last 5 years; or if a person has been confined to a penitentiary within the past 5 years;
- d) A person addicted to narcotics;
- e) A person who has been a patient of a mental institution with the past 5 years for any reason; or
- f) A person who is mentally retarded;

Every applicant for a Firearm Owner's Identification Card, under the age of 21, shall have the written consent of his/her parent or legal guardian to possess and acquire firearms and firearm ammunition, prior to issuance of a Firearm Owner's Identification Card. If the consent is given by a legal guardian, a certified copy of the guardianship court order must be submitted with the application. The applicant cannot have been adjudged delinquent or convicted of a misdemeanor other than a traffic offense. The parent or legal guardian must file an affidavit with the Department as prescribed by the Department stating that he/she is not an individual prohibited from having a Firearm Owner's Identification Card.

(Source: Section 1230.40 renumbered to Section 1230.50, and new Section 1230.40 adopted at 17 Ill. Reg. _____, effective _____)

Section 1230.4050 Denial of Application or Revocation and Seizure of Identification Card

The Division Department will deny an application for or revoke and seize a Firearm Owner's Identification Card if the Division Department finds that the applicant or the person to whom such a Firearm Owner's Identification Card was issued is or was at the time of issuance:

- a) A person under 21 years of age and has been convicted of a misdemeanor other than a traffic offense or has been adjudged delinquent;
- b) A person under 21 years of age and does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or legal guardian has revoked such written consent or where such parent or legal guardian does not have a currently valid qualify to have a Firearm Owner's Identification Card;
- c) A person convicted of a felony under the law of this or any other jurisdiction within the last 5 years; or if a person has been confined to a penitentiary within the past 5 years;
- d) A person addicted to narcotics;

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- e) A person who has been a patient of a mental institution within the past 5 years for any reason; or
- f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons, or the community. For purposes of this Section, "mental condition" means a state of mind manifested by violent, suicidal, threatening, or assaultive behavior;
- fg) A person who is mentally retarded; or
- h) A person who intentionally makes a false statement on the Firearm Owner's Identification Card application.

(Source: Former Section 1230.50 renumbered to Section 1230.90; Section 1230.50 renumbered from Section 1230.40 and amended at 17 Ill. Reg. _____ effective _____)

Section 1230.60 Notification of Grounds for Denial of Application and Revocation and Seizure of Identification Card

The Department shall notify in writing to the last known address every person whose application for a Firearm Owner's Identification Card is denied and every person whose Firearm Owner's Identification Card is revoked of the specific grounds upon which his application has been denied or his Firearm Owner's Identification Card has been revoked.

(Source: Added at 17 Ill. Reg. _____ effective _____)

Section 1230.70 Appeal

- a) An individual whose application for a Firearm Owner's Identification Card is denied or whose Firearm Owner's Identification Card is revoked may petition for relief from such action by providing written notice of this intention to the Department.

- b) Upon receiving a petition for relief, the Department shall investigate the circumstances surrounding the denial or revocation action; and if the Director is satisfied that substantial justice has not been done, the Director may grant relief or may schedule a fact finding conference with the petitioner.

- c) At the fact finding conference, the petitioner may be represented by counsel or any other person and may present any evidence or information relating to the Department's action.

- d) The Director may provide relief as a result of the fact finding conference.

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e) If the Director does not provide relief as a result of the fact finding conference, the petitioner may petition for a hearing.

f) The administrative law judge for contested hearings shall be the Director or an attorney licensed to practice law in Illinois appointed by the Director. The administrative law judge may be disqualified for bias or conflict of interest.

g) The procedures for the hearing shall be as described in Article 10 of the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-5 et seq.) [5 ILCS 100/10-5 et seq.] and as ordered by the administrative law judge.

(Source: Added at 17 Ill. Reg. _____ effective _____)

Section 1230.80 Judicial Review

All final decisions of the Department under this Act are subject to judicial review under the provisions of the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, par. 3-101 et seq.) [735 ILCS 5/3-101 et seq.].

(Source: Added at 17 Ill. Reg. _____ effective _____)

Section 1230.5090 Certification

At the time of acquisition of a firearm or firearm ammunition to be used by a law enforcement official in the performance of official duties, the law enforcement official must may present a certified letter from the chief administrator or his designee of the employing law enforcement agency to the seller of the firearm or firearm ammunition in lieu of a Firearm Owner's Identification Card. This letter must contain the following information as provided in EXHIBIT-B-1:

- Certification of the officer's employment with the named law enforcement agency; A statement that the officer is a law enforcement officer;
- Certification that the firearm (or ammunition for same) will be used in the performance of official duties pursuant to Ill. Rev. Stat. 19837-chr-387-par-83-2(c); A statement that the firearm or firearm ammunition described is intended for use in the performance of official law enforcement duties;
- Certification of the officer's eligibility to possess firearms and firearm ammunition in accordance with Ill. Rev. Stat. 19837-chr-387-par-24-3-f; and The acquiring officer's signature and star, badge, or other numeric identifier;

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d) A statement limiting the validity of the certification to 60 days from the date of issuance. A description of the firearm and firearm ammunition to be acquired;

e) The date, title/rank, and signature of the chief administrator or his designee;

f) The name and address of the law enforcement agency; and

g) A statement limiting the validity of the certification to 60 days from the date of issuance.

(Source: Section 1230.90 renumbered from Section 1230.50 and amended at 17 Ill. Reg. _____ effective _____)

Section 1230.100 Reduction of Remittance

a) The Department may reduce by interlineation the amount of any check.

b) The drawer of the check shall be notified in writing of such reduction.

c) Any check reduced pursuant to the above shall be endorsed by the Department as follows: The amount of this check is warranted to be \$5.00.

d) All applications upon reprinting shall contain the following authorization statement: "My signature authorizes the Department to reduce the amount of my personal check if the amount submitted is not correct. I understand this will be done only if the amount submitted is greater than the required fee."

(Source: Added at 17 Ill. Reg. _____ effective _____)

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Section 1230, EXHIBIT B Certification (Repealed)

I hereby solemnly swear (sincerely affirm) that I am not a person prohibited from possessing firearms or firearms ammunition, pursuant to Ill. Rev. Stat. 1983, ch. 38, par. 24, and that I have not been a patient in a mental hospital within the past five years. I declare under penalty of perjury that information contained in this statement is true and accurate.

Acquiring Officer's Signature

I certify that _____ Officer's Name _____ State, Badge or Other Numerical Identifier _____
is currently employed as a peace officer with the _____ Name of Agency _____
The firearm or ammunition described herein is intended for use by the acquiring officer while engaged in the performance of his or her official duties.

This certification is valid for 60 days from the date of issuance.

Description of Firearm _____ Manufacture _____ Model _____ Barrel Length _____ Inches _____ Magazine _____ Handgun _____
Caliber/Gauge _____ Other Comments _____

Description of Ammunition _____ Grain _____

Signature of Chief Administrator or Designee _____

Title/Rank _____ Date _____

(Source: Repealed at 17 Ill. Reg. _____ effective _____)

- 1) Heading of the Part: Program Content and Guidelines for Division of Specialized Care for Children.
- 2) Code Citation: 89 Ill. Adm. Code 1200
- 3) Section Numbers:
1200.30 Amendments
1200.50 Amendments
1200.70 Amendments
1200.Appendix A
- 4) Statutory Authority: Implementing Section 1 of the Specialized Care for Children Act (Ill. Rev. Stat. 1991, ch. 144, par. 67.1) [110 ILCS 345/1] and authorized by Section 1 of the University of Illinois Act (Ill. Rev. Stat. 1991, ch. 144, par. 22) [110 ILCS 305/1].

- 5) A complete Description of the Subjects and Issues Involved: A change in age requirement for treatment services from 21 years of age to 18 years of age, an adjustment in the Income Scale to reflect 58% of gross median income instead of 65%, Illinois Comprehensive Health Insurance Program (CHIP) deletion from listing of third party payers deeming DSCC as the payer of last resort, and a change that allows the Director to establish maximum dollar amounts for payment of authorized services per fiscal year including physician services.
- 6) Will this proposed rule replace an emergency rule currently in effect?: No
- 7) Does this rulemaking contain an automatic repeal date?: No
- 8) Does this proposed amendment contain incorporation by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: Not applicable.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted to the Director of the Division of Specialized Care for Children, P.O. Box 19481, Springfield, IL 62794-9481, within 14 days.

- 12) Initial Regulatory Flexibility Analysis:
A) Date Rule was submitted to the Business Assistance Office of Commerce and Community Affairs: No written response was received from the inquiry regarding the proposed rules and a pursuant telephone call resulted in a statement from that

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agency that it had no response to the proposed rules; therefore feel this does not apply.

- B) Types of small business affected: None
C) Reporting, bookkeeping or other procedures required for compliance: None
D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendment is identical to the emergency Amendment being published in this issue of the Illinois Register of page 8054

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- | | | |
|----|-------------------------|-------------------------|
| 1) | <u>Heading of Part:</u> | Annual Emissions Report |
| 2) | <u>Code Citation:</u> | 35 Ill. Adm. Code 254 |
| 3) | <u>Section Numbers:</u> | <u>Adopted Action:</u> |
| | 254.101 | New Section |
| | 254.102 | New Section |
| | 254.103 | New Section |
| | 254.104 | New Section |
| | 254.105 | New Section |
| | 254.106 | New Section |
| | 254.107 | New Section |
| | 254.108 | New Section |
| | 254.109 | New Section |
| | 254.110 | New Section |
| | 254.111 | New Section |
| | 254.112 | New Section |
| | 254.130 | New Section |
| | 254.131 | New Section |
| | 254.132 | New Section |
| | 254.133 | New Section |
| | 254.134 | New Section |
| | 254.135 | New Section |
| | 254.136 | New Section |
| | 254.201 | New Section |
| | 254.202 | New Section |
| | 254.203 | New Section |
| | 254.204 | New Section |
| | 254.301 | New Section |
| | 254.302 | New Section |
| | 254.303 | New Section |
| | 254.304 | New Section |
| | 254.305 | New Section |
| | 254.306 | New Section |
| | 254.401 | New Section |
| | 254.402 | New Section |
| | 254.403 | New Section |
| | 254.404 | New Section |
- 4) Statutory Authority: Environmental Protection Act, Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1004(b); 35 Ill. Adm. Code 201.302(a)-(b).
- 5) Effective Date of Rule: May 14, 1993

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- 6) Does this rulemaking contain an automatic repeal date? ___ Yes X No
If "yes," please specify the date: _____
- 7) Does this rule contain incorporations by reference?
___ Yes X No
- 8) The date the adopted rule was filed in the Agency's Principal Office: May 4, 1993
- 9) Notice of Purpose Published in the Illinois Register: November 13, 1992, 16 Ill. Reg. 17195
- 10) Has JCAR issued a Statement of Objections to this rule? No.
- 11) Difference(s) between the proposal and the final version:
In Sections 254.132(b), 254.201, 254.301 and 254.401: The Agency will now send the Inventory Edit Summary and the Source Inventory Report to the sources 90 days, rather than 60 days, before the filing date for the Annual Emissions Report.
In Sections 254.302 and 254.402: The filing deadline for the Annual Emissions Report for calendar year 1993 has been changed from July 1, 1993, to October 1, 1993.
In Section 254.402: The filing deadline for the Annual Emissions Report for each calendar year except 1993 shall be May 1 for all sources, instead of March 1 for smaller sources.
The Illinois Compiled Statutes cites were added where appropriate.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes. None were requested.
- 13) Will this rule replace an emergency rule currently in effect?
___ Yes X No
- 14) Are there any amendments pending on this Part? ___ Yes X No
- 15) Summary and Purpose of Rule: This Agency rule establishes procedures for the annual reporting of emissions of regulated air pollutants by stationary sources in Illinois. The rule is necessary to bring the State into compliance with the emissions statement requirements of Section 182(a)(3)(B) of the Clean Air Act as amended (42 U.S.C. §7511a(a)(3)(B)).

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- 16) Information and questions regarding this adopted rule shall be directed to:

Illinois Environmental Protection Agency
Attn: Dave Kolaz
P.O. Box 19276
Springfield, IL 62794-9276
217/782-5811

The full text of the Adopted Rule begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 254
 ANNUAL EMISSIONS REPORT

SUBPART A: GENERAL PROVISIONS

| Section | Purpose |
|---------|---|
| 254.101 | Applicability |
| 254.102 | Definitions |
| 254.103 | Actual Emissions |
| 254.104 | Annual Process Rate |
| 254.105 | Certifying Individual |
| 254.106 | Emission Determination Method |
| 254.107 | Emissions Summary |
| 254.108 | Inventory Edit Summary |
| 254.109 | Peak Ozone Season |
| 254.110 | Source Inventory Report |
| 254.111 | Typical Ozone Season Day |
| 254.112 | Minimum Contents of Annual Emissions Report |
| 254.130 | Methods of Filing Annual Emissions Report |
| 254.131 | Failure to File a Complete Report |
| 254.132 | Voluntary Submittal of Data |
| 254.133 | Retention of Records |
| 254.134 | Reporting of Errors |
| 254.135 | Confidentiality and Trade Secret Protection |
| 254.136 | |

SUBPART B: REPORTING REQUIREMENTS FOR LARGE SOURCES

| Section | Purpose |
|---------|---|
| 254.201 | Annual Emissions Report |
| 254.202 | Reporting Schedule |
| 254.203 | Contents of Subpart B Annual Emissions Report |
| 254.204 | Complete Reports |

SUBPART C: REPORTING REQUIREMENTS FOR SOURCES OF VOM OR NO_x
 IN OZONE NONATTAINMENT AREAS

| Section | Purpose |
|---------|---|
| 254.301 | Annual Emissions Report |
| 254.302 | Reporting Schedule |
| 254.303 | Contents of Subpart C Annual Emissions Report |
| 254.304 | Transition to Full Reporting by Large Sources |
| 254.305 | Continuing Requirements for Other Sources |
| 254.306 | Complete Reports |

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SUBPART D: REPORTING REQUIREMENTS FOR SMALL SOURCES

| Section | Purpose |
|---------|---|
| 254.401 | Annual Emissions Report |
| 254.402 | Reporting Schedule |
| 254.403 | Contents of Subpart D Annual Emissions Report |
| 254.404 | Complete Reports |

AUTHORITY: Authorized by Section 4(b) of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par.1004(b)) [415 ILCS 5/4(b)] and implemented by 35 Ill. Adm. Code 201.302(a) and 201.302(b).

SOURCE: Adopted at 17 Ill. Reg. 7782, effective May 14, 1993.

SUBPART A: GENERAL PROVISIONS

Section 254.101 Purpose

This part establishes uniform procedures for the reporting of air pollution emissions data from sources of regulated air pollutants, including procedures for the reporting of emissions of Volatile Organic Material (VOM) and Nitrogen Oxides (NO_x) from sources located in ozone nonattainment areas. These reports will be used to update the Agency's emissions inventory and to enable the State to comply with the inventory and reporting requirements of Section 182(a) of the Clean Air Act (42 U.S.C. §7401 et seq.). The procedures presented in this Part implement the provisions of 35 Ill. Adm. Code 201.302(a) and 201.302(b).

Section 254.102 Applicability

- Subpart B of this Part applies to the owner or operator of any source required to have an operating permit in accordance with 35 Ill. Adm. Code 201 and that is permitted to emit 25 tons per year or more of any combination of regulated air pollutants. Subpart B also applies to the owner or operator of any source required to have an operating permit in accordance with Section 39.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2 par. 1039.5, as amended by P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/39.5], the State's approved permit program established pursuant to Title V of the Clean Air Act (42 U.S.C. §7401 et seq.) (CAAPP).
- Subpart C of this Part applies to the owner or operator of any source that has a potential to emit 25 tons per year or more of either VOM or NO_x for all emission units at that source and which is located in any ozone nonattainment area within the State of Illinois.
- Subpart D of this Part applies to the owner or operator of any source of regulated air pollutants required to have an operating permit in

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accordance with 35 Ill. Adm. Code 201 and which is not subject to subsections (a) or (b) above.

Section 254.103 Definitions

Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1001 et seq.) [415 ILCS 5/1 et seq.] and in 35 Ill. Adm. Code: Subtitle B.

Section 254.104 Actual Emissions

"Actual emissions" means the rate of emission of a regulated air pollutant from a source or an emissions unit for the calendar year, seasonal period, day or other period of time as specified based on the best information available to the owner or operator of that emissions unit. Actual emission rates include startup, shutdown or malfunction emissions. The calculation of actual emissions must follow an "emission determination method." Where, for any reason, a source has measured any of its emissions, the source must report the measured total as its "actual emissions" for those pollutants rather than using an estimation method to derive the total for that period of time during which the measurements were taken.

Section 254.105 Annual Process Rate

"Annual process rate" means the actual or estimated annual fuel operating rate, process operating rate, or waste operating rate.

Section 254.106 Certifying Individual

"Certifying individual" means the individual responsible for the certification of the accuracy of the Annual Emissions Report and who will take legal responsibility for the information verified or reported in the Annual Emissions Report.

Section 254.107 Emission Determination Method

"Emission determination method" means the method generally accepted and used by those persons engaged in the field of air pollution control to derive actual emissions, whether measured or estimated.

Section 254.108 Emissions Summary

"Emissions Summary" means the portion of the Source Inventory Report listing the data fields for the information required in the minimum Annual Emissions Report prescribed at Section 254.130 of this Part.

Section 254.109 Inventory Edit Summary

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"Inventory Edit Summary" means the report that the Agency provides to the source that lists data fields from the Source Inventory Report that the Agency has reason to believe are incorrect, incomplete or outdated.

Section 254.110 Peak Ozone Season

"Peak ozone season" means the months of June, July and August.

Section 254.111 Source Inventory Report

"Source Inventory Report" means the report that the Agency provides to the source that lists data fields for the information required in the Annual Emissions Report and contains the information, if any, that previously has been reported to the Agency for those data fields.

Section 254.112 Typical Ozone Season Day

"Typical ozone season day" means any day, Monday through Friday, representative of source operations during the peak ozone season.

Section 254.130 Minimum Contents of Annual Emissions Report

As a minimum, each Annual Emissions Report filed pursuant to 35 Ill. Adm. Code 254 shall contain:

a) Source identification information:

- 1) Source name, physical location and mailing address;
- 2) SIC code;
- 3) Source contact;
- 4) Source contact telephone number.

b) Source-wide totals of actual emissions for all regulated air pollutants emitted by the source.

c) The following certification statement: "All Annual Emissions Report data verified, modified or provided on behalf of the company named above, whether submitted electronically or in writing, represents the best available information and is true and accurate to the best of my knowledge." The certification statement shall be accompanied by the full name, title, actual signature, date of signature and a telephone number of the certifying individual.

Section 254.131 Methods of Filing Annual Emissions Report

Each owner or operator subject to a reporting requirement pursuant to 35 Ill.

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Adm. Code 254 must file the minimum Annual Emissions Report pursuant to Section 254.130 of this Part in paper form. This will satisfy the requirement for the information listed in the Emissions Summary portion of the Source Inventory Report. When revisions or additions have been made to the information in the remainder of the Source Inventory Report, that information may be filed in paper form or electronically.

Section 254.132 Failure to File a Complete Report

- a) Failure to file a complete Annual Emissions Report by the applicable deadlines prescribed in Subparts B, C and D of this Part shall be a violation of 35 Ill. Adm. Code 201.302(a).
- b) Failure to receive the Source Inventory Report from the Agency pursuant to Subparts B, C or D of this Part does not relieve an owner or operator from the obligation to file a complete Annual Emissions Report. Any owner or operator who does not receive the Source Inventory Report at least ninety (90) days before the applicable reporting deadline may contact the Agency to request the Source Inventory Report.

Section 254.133 Voluntary Submittal of Data

In addition to any information required to be submitted in the Annual Emissions Report, the owner or operator may submit any data on a voluntary basis. The Agency may not require the source to perform any monitoring which is not otherwise required by applicable rule or a permit condition.

Section 254.134 Retention of Records

The Agency may require information from the owner or operator to substantiate the contents of the Annual Emissions Report filed. All records and calculations upon which the verified and reported data are based must be retained by the source for a minimum of three (3) years following the filing of a complete report. A request for such information may be made up to three (3) years following the filing of a complete report. The source shall provide the requested information in a format acceptable to the Agency within thirty (30) days after the receipt of the request. Nothing in this Section shall be interpreted to impose any additional monitoring which is not otherwise required by applicable rules or a permit condition.

Section 254.135 Reporting of Errors

If, after submitting any Annual Emissions Report required by Part 254, the owner or operator discovers an error in the data reported, the owner or operator shall notify the Agency of the error in writing and shall provide the Agency with the correct data. The notification and correction shall be conveyed to the Agency within thirty (30) days after the owner's or operator's

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discovery of the error. The corrected data shall be certified in accordance with Section 254.130(c) of this Part.

Section 254.136 Confidentiality and Trade Secret Protection

Information reported in any Annual Emissions Report and claimed to be confidential or a trade secret shall be subject to the procedures for submitting, identifying and protecting such information that are set forth in Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1007 [415 ILCS 5/7]; 2 Ill. Adm. Code 1826 and 1827; and 35 Ill. Adm. Code 120.

SUBPART B: REPORTING REQUIREMENTS FOR LARGE SOURCES

Section 254.201 Annual Emissions Report

At least ninety (90) days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the Source Inventory Report and the Inventory Edit Summary, if applicable. The Source Inventory Report shall contain all data fields for the information required under Sections 254.130 and 254.203 of this Part. Where the information requested in the data fields has previously been provided to the Agency, the Agency shall provide this data on the Source Inventory Report for verification or modification by the owner or operator. Where the required information has not been previously provided by the owner or operator and is applicable to the activities, equipment or emissions of the source, it must be provided by the owner or operator. The information on emissions shall be based on the best information available to the owner or operator of that source or emission unit.

Section 254.202 Reporting Schedule

- a) For each source subject to the applicability requirements of Section 254.102(a) of this Part, the first Annual Emissions Report filed for all regulated air pollutants pursuant to Subpart B of this Part shall be for the calendar year following the year in which the USEPA approves or conditionally approves the State's CAAPP implemented pursuant to Section 39.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2 par. 1039.5, as amended by P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/39.5]. For example, if the USEPA approves or conditionally approves the CAAPP program in 1994, the first full Annual Emissions Report shall include emissions information for calendar year 1995 and shall be filed with the Agency by May 1, 1996. Thereafter, an Annual Emissions Report shall be filed with the Agency for each calendar year by May 1 of the subsequent year.
- b) Commencing with calendar year 1992, all sources subject to Section 254.102(a) of this Part shall file an Annual Emissions Report pursuant to Subpart D of this Part until such time as the source is

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required to file a full Annual Emissions Report pursuant to subsection (a) above. For example, if the first full Annual Emissions Report for a source must be filed for calendar year 1995, the owner or operator must file an Annual Emissions Report pursuant to the requirements of Subpart D of this Part for calendar years 1992, 1993 and 1994.

Section 254.203 Contents of Subpart B Annual Emissions Report

The Annual Emissions Report filed pursuant to Subpart B of this Part shall be limited to information requested by the Agency and required in the application for permits or renewals, including source identification information, emissions information, operating data, control device information, and exhaust point information for each regulated air pollutant emitted at the source. The information shall be provided for an individual emission unit or operation if this is also required in the application for permits or renewals.

Section 254.204 Complete Reports

The Annual Emissions Report shall be considered complete if it contains the information required by Sections 254.130 and 254.203 of this Part for all regulated air pollutants emitted by the source to the extent that information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information required by Sections 254.130 and 254.203 of this Part and provided by the Agency in the Source Inventory Report must be either verified as accurate or modified by the owner or operator. Information required by Sections 254.130 and 254.203 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

SUBPART C: REPORTING REQUIREMENTS FOR SOURCES OF VOM OR NO_x
IN OZONE NONATTAINMENT AREAS

Section 254.301 Annual Emissions Report

- a) Commencing with calendar year 1992, the owner or operator of any source subject to Section 254.102(b) of this Part shall submit an Annual Emissions Report to the Agency detailing its actual emissions of regulated air pollutants.

- 1) For those emission units producing or capable of producing VOM or NO_x, the owner or operator shall provide the information required by Sections 254.130 and 254.303 of this Part. If a source has a total potential to emit 25 tons per year or more of either VOM or NO_x for all emission units, the owner or operator must provide the information required by Sections 254.130 and 254.303 for both VOM and NO_x.

- 2) For all regulated air pollutants emitted by the source except

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VOM and NO_x, the owner or operator shall submit to the Agency the information required by Section 254.130 of this Part.

- b) At least ninety (90) days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the Source Inventory Report and the Inventory Edit Summary, if applicable. The Source Inventory Report shall contain all data fields for the information required under Sections 254.130 and 254.303 of this Part. Where the information requested in the data fields has previously been provided to the Agency, the Agency shall provide this data on the Source Inventory Report for verification or modification by the owner or operator. Where the required information has not been previously provided by the owner or operator and is applicable to the activities, equipment or emissions of the source, it must be provided by the owner or operator. The information on emissions shall be based on the best information available to the owner or operator of that source or emission unit.

Section 254.302 Reporting Schedule

The filing deadline for the Annual Emissions Report for calendar year 1992 shall be October 1, 1993. Thereafter, reports for each calendar year shall be due by May 1 of the subsequent year.

Section 254.303 Contents of Subpart C Annual Emissions Report

The Annual Emissions Report to be filed pursuant to Subpart C of this Part shall contain the following information:

- a) All information required pursuant to Section 254.130 of this Part.
- b) Emissions information for each emission unit producing or capable of producing either VOM or NO_x or both that includes:
 - 1) Annual actual emissions of VOM and/or NO_x;
 - 2) Actual VOM and/or NO_x emissions for a typical ozone season day;
 - 3) Startup, shutdown and malfunction emissions of VOM and/or NO_x;
 - 4) Emission determination method for each of the actual emission figures reported;
 - 5) Emission factors.
- c) Operating data for each emission unit producing or capable of producing VOM or NO_x that includes:
 - 1) Percent annual throughput by season;

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- 2) Annual process rate;
- 3) Peak ozone season daily process rate;
- 4) Fuel data;
- 5) Physical characteristics of tanks;
- 6) Tank data;
- 7) Number of hours of operation per day
 - A) On the normal operating schedule;
 - B) On a typical ozone season day, if different from the normal operating schedule;
- 8) Number of days of operation per week
 - A) On the normal operating schedule;
 - B) During the peak ozone season, if different from the normal operating schedule;
- 9) Total actual hours of operation for the reporting year.
- d) Control device information that includes:
 - 1) Description of control method(s);
 - 2) Capture efficiency in percent;
 - 3) Current control efficiency in percent for VOM and/or NO_x.
- e) Exhaust point parameters that include:
 - 1) Height;
 - 2) Diameter;
 - 3) Flow rate;
 - 4) Exit temperature.

Section 254.304 Transition to Full Reporting by Large Sources

Each source subject to Subpart C and which also satisfies the applicability requirements of Section 254.102(a) of this Part shall make the transition to

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full reporting for all regulated air pollutants pursuant to Subpart B of this Part and shall no longer be subject to Subpart C of this Part. The first such Annual Emissions Report filed for all regulated air pollutants shall be for the calendar year following the year in which the USEPA approves or conditionally approves the State's CAAPP program, implemented pursuant to Section 39.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1039.5, as amended by P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/39.5]. For example, if the USEPA approves or conditionally approves the CAAPP program in 1994, the first full Annual Emissions Report shall be for calendar year 1995 and shall be filed with the Agency by May 1, 1996. Thereafter, a full Annual Emissions Report conforming to the requirements of Subpart B of this Part shall be filed with the Agency for each calendar year by May 1 of the subsequent year.

Section 254.305 Continuing Requirements for Other Sources

Each source subject to Subpart C of this Part but which does not otherwise meet the applicability requirements of Section 254.102(a) of this Part shall not make the transition to full reporting, but shall continue to file Annual Emissions Reports in accordance with Sections 254.301, 254.302, 254.303 and 254.306 of this Part.

Section 254.306 Complete Reports

- a) The Annual Emissions Report filed pursuant to Subpart C of this Part shall be considered complete if it contains all information listed in Sections 254.130 and 254.303 of this Part for emission units producing or capable of producing either VOM or NO_x or both to the extent that information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information listed in Sections 254.130 and 254.303 of this Part and provided by the Agency must be either verified as accurate or modified by the source. Information listed in Sections 254.130 and 254.303 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.
- b) For all regulated air pollutants emitted by the source except VOM and NO_x, a complete report shall contain the information required pursuant to Section 254.130 of this Part. Information listed in Section 254.130 of this Part and provided by the Agency must be either verified as accurate or modified by the source. Information listed in Section 254.130 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

SUBPART D: REPORTING REQUIREMENTS FOR SMALL SOURCES

Section 254.401 Annual Emissions Report

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At least ninety (90) days prior to a source's deadline for filing an Annual Emissions Report, the Agency shall provide to such source the Source Inventory Report and the Inventory Edit Summary, if applicable. The Source Inventory Report shall contain all data fields for the information listed at Section 254.403 of this Part. Where the information requested in the data fields has previously been provided to the Agency, the Agency shall provide this data on the Source Inventory Report for verification or modification by the owner or operator. Where the required information has not been previously provided by the owner or operator and is applicable to the activities, equipment or emissions of the source, it must be provided by the owner or operator. The information on emissions shall be based on the best information available to the owner or operator of the source or emission unit.

Section 254.402 Reporting Schedule

- a) The first Annual Emissions Report filed pursuant to Subpart D shall be for the calendar year 1992.
- b) The filing deadline for the Annual Emissions Report to be filed pursuant to Subpart D of this Part for calendar year 1992 shall be October 1, 1993. Thereafter, reports for each calendar year shall be filed with the Agency by May 1 of the subsequent year. For example, the report filed for calendar year 1993 shall be due at the Agency by May 1, 1994.

Section 254.403 Contents of Subpart D Annual Emissions Report

The Annual Emissions Report required under Subpart D shall contain the information listed in Section 254.130 of this Part, including source identification information, the total actual emissions of each regulated air pollutant emitted by the source, and a complete certification statement.

Section 254.404 Complete Reports

The Annual Emissions Report for Subpart D shall be considered complete if it contains the information required by Section 254.403 of this Part to the extent that information is applicable to the activities, equipment or emissions of the source during the year for which the report is submitted. Information required by Section 254.403 of this Part and provided by the Agency must be either verified as accurate or modified by the owner or operator. Information listed in Section 254.403 of this Part but not provided by the Agency must be provided by the owner or operator, unless the information has been previously provided to the Agency.

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1) Heading of the Part: PRIMARY DRINKING WATER STANDARDS2) Code Citation: 35 Ill. Adm. Code 6113) Section Numbers: Adopted Action:

| | |
|---------------------------|---------------------|
| 611.101, 611.102 | Amended |
| 611.107 | Added |
| 611.110 | Amended |
| 611.111, 611.112, 611.113 | Amended |
| 611.130 | Added |
| 611.280, 611.290 | Amended |
| 611.297 | Added |
| 611.300, 611.301, 611.311 | Amended |
| 611.350, 611.351, 611.352 | Added |
| 611.353, 611.354, 611.355 | Added |
| 611.356, 611.357, 611.358 | Added |
| 611.359, 611.360, 611.361 | Added |
| 611.521, 611.560, 611.611 | Amended |
| 611.612, 611.630, 611.640 | Amended |
| 611.646, 611.647, 611.648 | Amended |
| 611.App. A | Added |
| 611.App. E | Renumbered, Added |
| 611.Tab. D | Added |
| 611.Tab. E, 611.Tab. F | Added |
| 611.Tab. G | Added |
| 611.Tab. Z | Renumbered, Amended |

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111k, pars. 1017, 1017.5 and 1027 (415 ILCS 5/17, 5/17.5 and 5/27).5) Effective Date of Amendments: May 18, 19936) Does this rulemaking contain an automatic repeal date? No.7) Do these amendments contain incorporations by reference?

Yes. Section 611.102 contains the centralized incorporations by reference for all of Part 611. The present amendments update several of the references in response to USEPA updates of these documents.

8) Date filed in Board's principal office: Order adopted May 5, 1993.9) Notice of Proposal Published in Illinois Register:

March 5, 1993, 17 Ill. Reg. 2533

10) Has JCAR issued a Statement of Objections to these rules? No.

Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111k, par. 1017.5 [415 ILCS 5/17.5]) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

Several differences exist between the proposed and final versions of

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these amendments. The Board's opinion of May 5, 1993 in R92-3 discusses these in greater detail. A summary of the differences is as follows:

Section Differences
Several

all cross-references to subsections revised to read "subsection (-) of this Section", "subsection (-) above", etc.; cross-references to Subparts revised to read "Subpart - of this Part"; "Subpart" is capitalized; "Section 611-Table -" references are corrected.

611.101 definition of "approved source of bottled water" added.
611.102 definitions of "atomic absorption-platform furnace method", "USEPA inorganic methods", and "USEPA organic methods" added.

611.107 Section added.
611.110 Board Note edited.
611.130 subsections (a)(4)(B), (c)(1), (e), (e)(4)(A), (e)(4)(B), and (e)(6) edited.
611.300 subsection (a) and Board Note to subsection (b) edited.
611.311 subsections (b) and (c) edited.
611.350 definition of "maximum permissible concentration" added and definition of "multiple-family residence" edited in subsection (b).

611.351 subsections (b)(1), (b)(3), and (c) edited.
611.352 subsection (g)(3) edited.
611.353 subsections (a)(5), (a)(6), (b)(4), (b)(4)(B), (b)(5), (b)(6)(A), and (b)(7)(A) edited; subsection (b)(6)(7) added.
611.354 subsection (a)(1) edited; Board Note added to subsection (e)(2)(B).
611.355 subsections (c)(2)(A), (c)(2)(C)(iii), and (c)(2)(C)(iv) edited.

611.356 Board Note added to subsections (a)(3)(A)(ii), (a)(3)(B)(ii), and (a)(3)(D)(ii); subsections (a)(4)(A)(iv) and (a)(4)(C)(iii) added; subsection (a)(4)(B) subdivided and subsection (a)(4)(B)(ii) added; subsections (a)(4)(D)(iv) and (d)(4)(D) edited.

611.358 subsections (a)(1), (a)(A), (a)(1)(B), (a)(1)(B)(i), (d), (d)(1), and (e)(1) through (e)(3) edited.
611.359 subsections (a)(3)(B)(iii) and (a)(2) and final Board Note edited; subsections (b)(1)(D) and (b)(2)(F) added.

611.360 subsections (a), (a)(2), (b)(1), (c)(4), (d)(1), (d)(2), and (e)(3)(C) edited; Board Note added to subsection (e)(4)(B) edited.

611.361 subsections (c)(1) and (c)(2) edited.
611.521 final Board Note edited.
611.612 subsection (n) number corrected.
611.647 paragraph (27) edited.
611.App. A

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1017.5 [415 ILCS 5/17.5]) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

13) Will these amendments replace an emergency amendment currently in effect? No.

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14) Are there any other amendments pending on this Part? No.

15) Summary and Purpose of Amendments:

A more detailed description is contained in the Board's opinion of May 5, 1993 in R92-3, which opinion is available from the address below.

As discussed more fully in the opinion, this rulemaking involves revisions and major additions to the Illinois SDWA rules, as originally adopted August 9, 1990, in docket R88-26 (effective September 20, 1990), and amended November 19, 1992, in docket R91-3 and R92-9 (consolidated) (effective December 1, 1992). It includes the federal Phase IIB amendments to the chemical contaminant rules, as adopted by USEPA July 1, 1991, and the lead and copper rules of June 7, 1991, July 15, 1991, and June 29, 1992.

The result of these amendments will be to add MCLs and monitoring and notice requirements for one inorganic chemical contaminant (barium) and four synthetic organic chemical contaminants (aldicarb, aldicarb sulfone, aldicarb sulfide, and pentachlorophenol), although the MCLs for the three aldicarbs is concurrently administratively stayed pending future action. These amendments further add significant new requirements relating to lead and copper in drinking water as drawn from consumer taps.

16) Information and questions regarding this adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611
PRIMARY DRINKING WATER STANDARDS

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611.262 Filtered PWSs: Reporting and Recordkeeping
611.271 Protection during Repair Work
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SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

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611.280 Point-of-Entry Devices
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SUBPART D: TREATMENT TECHNIQUES

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611.295 General Requirements

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Acrylamide and Epichlorohydrin
Corrosion Control

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL's)

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611.296 Old MCLs for Inorganic Chemicals
611.300 Revised MCLs for Inorganic Chemicals
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611.311 Turbidity
611.320 Microbiological Contaminants
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SUBPART G: LEAD AND COPPER

Section
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611.351 Applicability of Corrosion Control
611.352 Corrosion Control Treatment
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611.355 Public Education and Supplemental Monitoring
611.356 Tap Water Monitoring for Lead and Copper
611.357 Monitoring for Water Quality Parameters
611.358 Monitoring for Lead and Copper in Source Water
611.359 Analytical Methods
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SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.480 Alternative Analytical Techniques
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611.510 Special Monitoring for Unregulated Contaminants

SUBPART L: MICROBIOLOGICAL
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611.521 Routine Coliform Monitoring
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611.523 Invalidation of Total Coliform Samples
611.524 Sanitary Surveys
611.525 Fecal Coliform and E. Coli Testing
611.526 Analytical Methodology
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611.531 Analytical Requirements
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SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.560 Turbidity

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.591 Violation of State MCL

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Frequency of State Monitoring
 611.592 Applicability
 611.600 Monitoring Frequency
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 611.603 Nitrate Monitoring
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 611.640 Definitions
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 611.650 Monitoring for 36 Contaminants (Repealed)
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SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

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SUBPART T: REPORTING, PUBLIC NOTIFICATION AND RECORDKEEPING

Section
 611.830 Applicability
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611.870 List of 36 Contaminants

611. Appendix A Mandatory Health Effects Information
 611. Appendix B Percent Inactivation of G. Lamblia Cysts
 611. Appendix C Common Names of Organic Chemicals
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 611. Appendix E Mandatory Lead Public Education Information
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 611. Table D Federal Effective Dates Number of Lead and Copper Monitoring Sites
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 611. Table F Number of Water Quality Parameter Sampling Sites
 611. Table G Summary of Monitoring Requirements for Water Quality Parameters
 611. Table H Federal Effective Dates

AUTHORITY: Implementing Sections 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27]).

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993.

Note: Capitalization denotes statutory language.

SUBPART A: GENERAL

Section 611.101 Definitions

As used in this Part, the term:

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111, par. 1001 et seq. [415 ILCS 5/1 et seq.]).

"Agency" means the Illinois Environmental Protection Agency.
 BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs", including non-transient, non-community water supplies ("NTNCWSs") and transient non-community water supplies ("transient non-CWSs")). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Ai" means "inactivation ratio".

"Approved source of bottled water", for the purposes of Section 611.130(e)(4), means a source of water and the water therefrom, whether it be from a spring, artesian well, drilled well, municipal water supply, or any other source, that has been inspected and the water sampled, analyzed, and found to be a safe and sanitary quality according to applicable laws and regulations of state and local

government agencies having jurisdiction, as evidenced by the presence in the plant of current certificates or notations of approval from each government agency or agencies having jurisdiction over the source, the water it bottles, and the distribution of the water in commerce.

BOARD NOTE: Derived from 40 CFR 142.62(l)(2) and 21 CFR 129.3(a) (1992). The Board cannot compile an exhaustive listing of all federal, state, and local laws to which bottled water and bottling water may be subjected. However, the statutes and regulations of which the Board is aware are the following: the Illinois Food, Drug and Cosmetic Act (410 ILCS 620/1 et seq., formerly Ill. Rev. Stat. 1991 ch. 56, par. 501 et seq.), the Bottled Water Act (815 ILCS 310/1 et seq., formerly Ill. Rev. Stat. 1991 ch. 111, par. 121.10), the DPH Water Well Construction Code (77 Ill. Adm. Code 920), the DPH Water Well Pump Installation Code (77 Ill. Adm. Code 925), the federal bottled water quality standards (21 CFR 103.35), the federal drinking water processing and bottling standards (21 CFR 129), the federal Good Manufacturing Practices for human foods (21 CFR 110), the federal Fair Packaging and Labeling Act (15 U.S.C. §§ 1451 et seq.), and the federal Fair Packaging and Labeling regulations (21 CFR 201).

"Best available technology" or "BAT" means the best technology, treatment techniques or other means that USEPA has found are available for the contaminant in question. BAT is specified in Subpart F of this Part.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Board" means the Illinois Pollution Control Board.

"CAS No" means "Chemical Abstracts Services Number".

"CT" or "CT₉₀" is the product of "residual disinfectant concentration" (RDC or C) in mg/L determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectants at more than one point prior to the first customer, it shall determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio". In determining the total inactivation ratio, the supplier shall determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). (See "CT₉₀")

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"CT₉₀" is the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT₉₀ for a variety of disinfectants and conditions appear in Tables 1.1-1.6, 2.1 and 3.1 of Section 611. Appendix B. (See "Inactivation Ratio".)

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1992).

"Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Community Water System" or "CWS" means a public water system (PWS) that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

BOARD NOTE: Derived from 40 CFR 141.2 (1992). This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar cycle begins January 1, 1993, and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993, to December 31, 1995; the second from January 1, 1996, to December 31, 1998; the third from January 1, 1999, to December 31, 2001.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation and filtration resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which:

A precoat cake of diatomaceous earth filter media is deposited on a support membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

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BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Disinfectant contact time" or "T" means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at where RDC is measured.

Where more than one RDC is measured, T is:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point to the RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Disinfection" means a process that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just

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downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

"Filtration" means a process for removing particulate matter from water by passage through porous media.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Flocculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"GC" means "gas chromatography" or "gas-liquid phase chromatography".

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"Groundwater under the direct influence of surface water" is as determined in Section 611.212.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"GWS" means "groundwater system", a public water supply (PWS) that uses only groundwater sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) & 141.24(f)(2) note (1994 \pm).

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

BOARD NOTE: Derived from 40 CFR 141.2 (1994 \pm).

"HPC" means "heterotrophic plate count", measured as specified in Section 611.531(c).

"Inactivation Ratio" (Ai) means:

$$A_i = CT_{alk}/CT_{99}$$

The sum of the inactivation ratios, or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence:

$$B = \sum(A_i)$$

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts.

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BOARD NOTE: Derived from the definition of "public water system" in 40 CFR 141.2 (1991#2).

"Non-transient non-community water system" or "NTNWS" means a public water system (PWS) that is not a community water system (CWS) and that regularly serves at least 25 of the same persons over 6 months per year.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"NPDWR" means "national primary drinking water regulation".

"NTU" means "nephelometric turbidity units".

"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional state requirements."

BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O of this Part, differs from this definition in that that definition does not include the Section 611.300 inorganic MCLs.

"P-A Colliform Test" means "Presence-Absence Colliform Test".

"Performance evaluation sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency; or, for bacteriological laboratories, Public Health; or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"Person" means an individual, corporation, company, association, partnership, State, unit of local government or federal agency.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 8, 1987, at 52 Fed. Reg. 25712.

"Phase II" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on January 30, 1991, at 56 Fed. Reg. 3578.

"Phase IIB" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Picocurie" or "pCi" means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.

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BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1991#2).

"Initial compliance period" means the three-year compliance period begins January 1, 1993.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"L" means "liter".

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure, NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"Maximum contaminant level" ("MCL") means the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. See Section 611.121.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"Maximum Total Trihalomethane Potential" or "MTP" means the maximum concentration of total trihalomethanes (THMs) produced in a given water containing a disinfectant residual after 7 days at a temperature of 25° C or above.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"MFL" means millions of fibers per liter larger than 10 micrometers.

BOARD NOTE: Derived from 40 CFR 141.23(a)(4)(i) (1991#2).

"mg" means milligrams (1/1000th of a gram).

"mg/L" means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1991#2).

"MUG" means 4-methyl-umbelliferyl-beta-d-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the public water system (PWS) treatment facility, as measured by water transport time within the distribution system.

BOARD NOTE: Derived from 40 CFR 141.2 (1991#2).

"nm" means nanometer (1/1,000,000,000th of a meter).

"Non-community water system" or "NCWS" or "non-CWS" means a public water system (PWS) that is not a community water system (CWS).

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BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Point-of-entry treatment device" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Point-of-use treatment device" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Public Health" means the Illinois Department of Public Health. BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs", including non-transient, non-community water supplies ("NTNCWSs")) and transient non-community water supplies ("transient non-CWSs"). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Public water system" or "PWS" means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS). Such term includes:

Any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system, and;

Any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to determine the qualitative condition of water from an individual sampling point or source. The Agency shall base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of source water to variation, and other vulnerability factors pertinent to the contaminant detected that may influence the quality of water.

BOARD NOTE: Derived from 40 CFR 141.23(b)(9), 141.24(f)(1)(ii), and 141.24(f)(1)(iii) (19912).

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Repeat compliance period" means a compliance period that begins after the initial compliance period.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

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"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/L in a representative sample of water. For purposes of the requirement of Section 611.241(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 U.S.C. 300f et seq.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Sanitary survey" means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system (PWS) for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"SEP" means special exception permit (Section 611.110).

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological mechanisms.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"SOC" or "Synthetic organic chemical contaminant" refers to that group of contaminants designated as "SOCs", or "synthetic organic chemicals" or "synthetic organic contaminants", in USEPA regulatory discussions and guidance documents. "SOCs" include alachlor, atrazine, carbofuran, chlordane, dibromochloroethylene (ethylene dibromide or EDB), dibromochloropropane (DBCP), heptachlor, heptachlor epoxide, lindane, methoxychlor, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, and 2,4,5-TP.

"Source" means a well, reservoir, or other source of raw water.

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "official custodian".

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Surface water" means all water that is open to the atmosphere and subject to surface runoff.

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BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"SWS" means "surface water system", a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water".

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (19912).

"System with a single service connection" means a system that supplies drinking water to consumers via a single service line.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Total trihalomethanes" or "TTHM" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/L), rounded to two significant figures.

BOARD NOTE: Derived from the definition of "total trihalomethanes" in 40 CFR 141.2 (19912). See the definition of THMs for a listing of the four compounds that USEPA considers TTHMs to comprise.

"Transient, non-community water system" or "transient non-CWS" or "TNCWS" means a public water system (PWS) that is neither a community water system ("CWS") nor a non-transient, noncommunity water system ("NTNCWS").

BOARD NOTE: The federal regulations apply to all "public water systems", which are defined as all systems having at least 15 service connections or regularly serving water to at least 25 persons. See 42 U.S.C. §300f(4). The Act mandates that the Board and the Agency regulate "public water supplies", which it defines as having at least 15 service connections or regularly serving 25 persons daily at least 60 days per year. See Ill. Rev. Stat. 1991 ch. 1114, par. 1003.28 [415 ILCS 5/3.28]. The Department of Public Health regulates transient non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a "point of use" or "point of entry treatment device" as defined in this Section. "Treatment" includes, but is not limited to aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

"Trihalomethane" or "THM" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THMs are:

Trichloromethane (chloroform),

Dibromochloromethane,

Bromodichloromethane and

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Tribromomethane (bromoform)

BOARD NOTE: Derived from the definitions of "total trihalomethanes" and "trihalomethanes" in 40 CFR 141.2 (19912).

"µg" means micrograms (1/1,000,000th of a gram).

"USEPA" means the U.S. Environmental Protection Agency.

"Virus" means a virus of fecal origin that is infectious to humans by waterborne transmission.

"VOC" or "volatile organic chemical contaminant" refers to that group of contaminants designated as "VOCs", or "volatile organic chemicals" or "volatile organic contaminants", in USEPA regulatory discussions and guidance documents. "VOCs" include benzene, tetrachloromethane (carbon tetrachloride), trichloroethylene, vinyl chloride, 1,1,1-trichloroethane (methyl chloroform), 1,1-dichloroethylene, 1,2-dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Waterborne disease outbreak" means the significant occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) that is deficient in treatment, as determined by the appropriate local or State agency.

BOARD NOTE: Derived from 40 CFR 141.2 (19912).

"Wellhead Protection Program" means the wellhead protection program for the State of Illinois, approved by USEPA under Section 1428 of the SDWA.

BOARD NOTE: Derived from 40 CFR 141.71(b) (19912). The wellhead protection program will include the "groundwater protection needs assessment" under Section 17.1 of the Act, and regulations to be adopted in 35 Ill. Adm. Code 615 et seq.

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.102 Incorporations by Reference

a) Abbreviations. The following abbreviated names are used in this Part to refer to materials incorporated by reference:

"AEP-1 Polymer" is available from Advanced Polymer Systems.

"Asbestos Methods" means "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.

"ASTM" means American Society for Testing and Materials

"Atomic Absorption-Platform Furnace Method" or "AA-Platform Furnace Method" means "Determination of Trace Elements by Stabilized Temperature Graphite Furnace Atomic Absorption

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Spectrometry -- Method 200.9"

"Indigo method" is as described in "Standard Methods", 17th Edition, Method 4500-O₃ B.

"Inductively Coupled Plasma-Mass Spectrometry Method" or "ICP-MS Method" means "Determination of Trace Elements in Water and Wastes by Inductively-Coupled Plasma-Mass Spectrometry -- Method 200.8"

"Inductively Coupled Plasma Method 200.7" or "ICP Method 200.7" means "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with appendix" See 40 CFR 136, Appendix C.

"Inductively Coupled Plasma Method 200.7, Rev. 3.2" or "ICP Method 200.7, Rev. 3.2" means "Determination of Metals and Trace Elements in Water and Wastes by Inductively Coupled Plasma-Atomic Emission Spectrometry -- Method 200.7, Revision 3.2" See 40 CFR 136, Appendix C.

"Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes", available from NTIS and ORD Publications.

"Ion Chromatography Method 300.0" means "Determination of Inorganic Ions in Water by Ion Chromatography -- Method 300.0"

"Microbiological Methods" means "Microbiological Methods for Monitoring the Environment, Water and Wastes", available from NTIS.

"MMO-MUG Test" means "minimal medium ortho-nitrophenyl-beta-d-galactopyranoside-4-methyl-umbelliferyl-beta-d-glucuronide test", available from Environmental, Inc.

"NCRP" means "National Council on Radiation Protection".

"NTIS" means "National Technical Information Service".

"Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water", available from NTIS.

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", available from NTIS.

"Standard Methods", means "Standard Methods for the Examination of Water and Wastewater", available from the American Waterworks Association.

"Technicon Methods" means "Fluoride in Water and Wastewater", available from Technicon.

"USEPA Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes", available from NTIS and ORD Publications.

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"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water", available from NTIS.

"USGS Method" means "United States Geological Survey Method" The Board incorporates the following publications by reference:

Access Analytical Systems, Inc., See Environmental, Inc.

ASTM. American Society for Testing and Materials, 1736 Race Street, Philadelphia, PA 19103 215/299-5585:

ASTM Method D511-88A and B, "Standard Test Methods for Calcium and Magnesium in Water", approved 1988.

ASTM Method D515-88A, "Standard Test Methods for Phosphorus in Water", approved 1988.

ASTM Method D858-88, "Standard Test Methods for Manganese in Water", approved August 19, 1988.

ASTM Method D859-88, "Standard Test Method for Silica in Water", approved 1988.

ASTM Method 1067-88B, "Standard Test Methods for Acidity or Alkalinity in Water", approved 1988.

ASTM Method D1125-82B, "Standard Test Methods for Electrical Conductivity and Resistivity of Water", approved October 29, 1982.

ASTM Method D1179-72A or B "Standard Test Methods for Fluoride in Water", approved July 28, 1972, reapproved 1978.

ASTM Method D1293-84B "Standard Test Methods for pH of Water", approved October 26, 1984.

ASTM Method D1428-64, "Standard Test Methods for Sodium and Potassium in Water and Water-Formed Deposits by Flame Photometry", approved August 31, 1964, reapproved 1977.

ASTM Method D1688-84D90A or EC, "Standard Test Methods for Copper in Water", approved November 30, 1984.

ASTM Method D1889-88a, "Standard Test Method for Turbidity of Water", approved June 24, 1988.

ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water", 1975, reapproved 1981, discontinued 1988.

ASTM Method D2907-83, "Standard Test Methods for Microquantities of Uranium in Water by Fluorimetry", approved May 27, 1983.

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ASTM Method D2972-88A or B, "Standard Test Methods for Arsenic in Water".

ASTM Method D3223-86, "Standard Test Method for Total Mercury in Water", approved February 28, 1986.

ASTM Method D3559-79A-~~or~~-B85D, "Standard Test Methods for Lead in Water", approved ~~July 29, 1978~~.

ASTM Method D3859-88, "Standard Test Methods for Selenium in Water", approved June 24, 1988.

ASTM Method D3867-90, "Standard Test Methods for Nitrite-Nitrate in Water", approved January 10, 1990.

ASTM Method 4327-88, "Standard Test Method for Anions in Water by Ion Chromatography", approved 1988.

American Waterworks Association et al., 6666 West Quincy Ave., Denver, CO 80235 (303) 794-7711:

Standard Methods for the Examination of Water and Wastewater, 13th Edition, 1971.

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended and Dissolved).

Method 303, Total Radioactive Strontium and Strontium 90 in Water.

Method 304, Radium in Water by Precipitation.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended and Total).

Method 306, Tritium in Water.

Standard Methods for the Examination of Water and Wastewater, 14th Edition, 1976.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units.

~~Method 301A II, Determination of Cadmium, etc. by Direct Aspiration into an Air-Acetylene Flame.~~

~~Method 301A III, Determination of Low Concentrations of Cadmium, etc. by Chelation with Ammonium Pyroellidene-Dithiocarbamate, and Extraction into Methyl Isobutyl Ketone.~~

Methods 320 and 320A, Sodium, Flame Photometric Method.

Method 412D, Cyanide, Colorimetric Method.

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Standard Methods for the Examination of Water and Wastewater, 16th Edition, 1985.

Method 212, Temperature.

Method 303A, Determination of Antimony, etc. by Direct Aspiration into an Air-Acetylene Flame.

~~Method 303B, Determination of Low Concentrations of Cadmium, etc. by Chelation with Ammonium Pyroellidene-Dithiocarbamate (H46) and Extraction into Methyl Isobutyl Ketone (MIBK).~~

Method 303C, Determination of Aluminum, etc., by Direct Aspiration into a Nitrous Oxide-Acetylene Flame.

Method 303E, Determination of Arsenic and Selenium by Conversion to Their Hydrides by Sodium Borohydride Reagent and Aspiration into an Atomic Absorption Atomizer.

Method 303F, Determination of Mercury by the Cold Vapor Technique.

Method 304, Determination of Micro Quantities of Aluminum, etc. by Electrothermal Atomic Absorption Spectrometry.

Method 307A, Arsenic, Atomic Absorption Spectrophotometric Method.

Method 307B, Arsenic, Silver Diethyldithiocarbamate Method.

Method 408C, Chlorine (Residual), Amperometric Titration Method.

Method 408D, Chlorine (Residual), DPD Ferrous Titrimetric Method.

Method 408E, Chlorine (Residual), DPD Colorimetric Method.

Method 408F, Chlorine (Residual), Leuco Crystal Violet Method.

Method 410B, Chlorine Dioxide, Amperometric Method.

Method 410C, Chlorine Dioxide, DPD Method (Tentative).

Method 412D, Cyanide, Colorimetric Method.

Method 413A, Fluoride, Preliminary Distillation Step.

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Method 413B, Fluoride, Electrode Method.
 Method 413C, Fluoride, SPADNS Method.
 Method 413E, Fluoride, Complexone Method.
 Method 418C, Nitrogen (Nitrate), Cadmium Reduction Method.
 Method 418F, Nitrogen (Nitrate), Automated Cadmium Reduction Method.
 Method 423, pH Value.
 Method 907A, Pour Plate Method.
 Method 908, Multiple Tube Fermentation Technique for Members of the Coliform Group.
 Method 908A, Standard Coliform Multiple-Tube (MPN) Tests.
 Method 908B, Application of Tests to Routine Examinations.
 Method 908C, Fecal Coliform MPN Procedure.
 Method 908D, Estimation of Bacterial Density.
 Method 908E, Presence-Absence (P-A) Coliform Test (Tentative).
 Method 909, Membrane Filter Technique for Members of the Coliform Group.
 Method 909A, Standard Total Coliform Membrane Filter Procedure.
 Method 909B, Delayed Incubation Total Coliform Procedure.
 Method 909C, Fecal Coliform Membrane Filter Procedure.
 Standard Methods for the Examination of Water and Wastewater, 17th Edition, 1989.
 Method 2320, Alkalinity.
 Method 2510, Conductivity.
 Method 2550, Temperature.
 Method 3111 B, Metals by Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method.
 Method 3113, Metals by Electrothermal Atomic Absorption Spectrometry.

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Method 3120, Metals by Plasma Emission Spectroscopy.
 Method 3500-Ca D, Calcium, EDTA Titrimetric Method.
 Method 4110, Determination of Anions by Ion Chromatography.
 Method 4500-H⁺, pH Value.
 Method 4500-O₃, Ozone (Residual), Indigo Colorimetric Method (Proposed).
 Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method.
 Method 4500-Si D, Silica, Molybdosilicate Method.
 Method 4500-Si E, Silica, Heteropoly Blue Method.
 Method 4500-Si F, Silica, Automated method for Molybdate-Reactive Silica.
 Advanced Polymer Systems, 3696 Haven Avenue, Redwood City, CA 94063 415/ 366-2626:
 A EPA-1 Polymer. See 40 CFR 141.22(a). Also, as referenced in ASTM D1889.
 Environetics, Inc., 21 Business Park Drive, Branford, CT 06405 800/321-0207:
 MXO-MUG tests: Collilert P/A or Collilert MPN.
 ERDA Health and Safety Laboratory, New York, NY:
 HASL Procedure Manual, HASL 300, 1973. See 40 CFR 141.25(b)(2).
 Millipore Corporation, Waters Chromatography Division, 34 Maple St., Milford, MA 01757 800/252-4752:
 Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography, Method B-1011.
 NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301) 657-2652:
 "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.
 NTIS. National Technical Information Service, 5285 Port

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Royal Road, Springfield, VA 22161 (703) 487-4600 or (800) 336-4700:

Analytical Method for Determination of Asbestos Fibers in Water. EPA-600/4-83-043, September, 1983, Doc. No. PB83-260471.

"Methods of for Chemical Analysis of Water and Wastes", J. Kopp and D. McGee, Third Edition, March, 1979. EPA-600/4-79-020, Doc. No. PB84-297686.

"Methods for Chemical Analysis of Water and Wastes", March, 1983, Doc. No. PB84-128677, for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, Doc. No. PB84-128677, only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, September, 1986, Doc. No. PB89-220461. (For the purposes of Section 611.647 only.)

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, December, 1988, Doc. No. PB89-220461. (For the purposes of Sections 611.646 and 611.648 only; including Method 515.1, revision 5.0 and Method 525.1, revision 3.0 (May, 1991).)

"Microbiological Methods for Monitoring the Environment: Water and Wastes", R. Bodner and J. Winter, 1978. EPA-600/8-78-017, Doc. No. PB290-329/LP.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", H.L. Krieger and S. Gold, EPA-R4-73-014, May, 1973, Doc. No. PB222-154/7BA.

ORD Publications, CERL, EPA, Cincinnati, OH 45268:

"Methods for Chemical Analysis of Water and Wastes", March, 1983, (EPA-600/4-79-020), for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, (EPA-600/4-79-020), only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

Orlon Research, Inc., 529 Main St., Boston, MA 02129
800/225-1480:

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Orion Guide to Water and Wastewater Analysis, Form W6WG/5880, p. 5.

Technicon Industrial Systems, Tarrytown, NY 10591:

"Fluoride in Water and Wastewater", Industrial Method #129-71W, December, 1972. See 40 CFR 141.23(f)(10), footnotes 6 and 7.

"Fluoride in Water and Wastewater", #380-75WE, February, 1976. See 40 CFR 141.23(f)(10), footnotes 6 and 7.

United States Environmental Protection Agency, EMSL, EPA, Cincinnati, OH 45268:

"The Analysis of Trihalomethanes in Drinking Waters by the Purge and Trap Method", Method 501.1. See 40 CFR 141, Subpart C, Appendix C.

"The Analysis of Trihalomethanes in Drinking Water by Liquid/Liquid Extraction," Method 501.2. See 40 CFR 141, Subpart C, Appendix C.

"Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with Appendix to Method 200.7" entitled, "Inductively Coupled Plasma-Atomic Emission Analysis of Drinking Water" (Appendix 200.7A), March 1987 (EPA/600/4-91/010). See 40 CFR 136, Appendix C.

"Interim Radiochemical Methodology for Drinking Water", EPA-600/4-75-008 (Revised) March, 1976.

"Methods for the Determination of Organic Compounds in Drinking Water". See NTIS.

"Methods of for Chemical Analysis of Water and Wastes". See NTIS and ORD Publications.

Microbiological Methods for Monitoring the Environment, Water and Wastes". See NTIS

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions". See NTIS.

United States Environmental Protection Agency, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington D.C. 20460:

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", October, 1989.

USGS. United States Geological Survey, 1961 Stout St., Denver, CO 80294 303/844-4169:

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Techniques of Water-Resources Investigation of the United States Geological Survey:

Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", 3d ed., Open-File Report 85-495, 1989.

- c) The Board incorporates the following federal regulations by reference:

40 CFR 136, Appendix B and C (19942).

40 CFR 141.22(a) (19942).

40 CFR 141.23(f)(10), footnotes 6 and 7 (19942).

40 CFR 141.24(e), footnote 6 (19942).

40 CFR 141.25(b)(2) (19942).

40 CFR 141, Subpart C, Appendix C (19942).

40 CFR 142, Subpart G (19942).

- d) This Part incorporates no future amendments or editions.

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.107 Agency Inspection of PWS Facilities

- (a) THE AGENCY SHALL HAVE AUTHORITY TO CONDUCT A PROGRAM OF CONTINUING SURVEILLANCE AND OF REGULAR OR PERIODIC INSPECTION OF PUBLIC WATER SUPPLIES. (Section 4(c) of the Act.)

- (b) IN ACCORDANCE WITH CONSTITUTIONAL LIMITATIONS, THE AGENCY SHALL HAVE AUTHORITY TO ENTER AT ALL REASONABLE TIMES UPON ANY PRIVATE OR PUBLIC PROPERTY FOR THE PURPOSE OF INSPECTING AND INVESTIGATING TO ASCERTAIN POSSIBLE VIOLATIONS OF THE ACT OR OF REGULATIONS THEREUNDER, OR OF PERMITS OR CONDITIONS THEREOF. (Section 4(d) of the Act.)

BOARD NOTE: In setting forth this provision to make clear the Agency's statutory authority to conduct inspections, the Board does not intend to either broaden or circumscribe that authority or to modify it in any way. Rather, the Board sets this provision forth to make that authority clear for the benefit of the regulated community.

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.110 Special Exception Permits

- a) Unless otherwise specified, each Agency determination in this Part is to be made by way of a written permit pursuant to section 39(a) of the Act. Such permit is titled a "special exception" permit ("SEP").

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- b) No person shall cause or allow the violation of any condition of a SEP.

- c) The supplier may appeal the denial of or the conditions of a -SEP to the Board pursuant to Section 40 of the Act.

- d) A SEP may be initiated either:

- 1) By an application filed by the supplier; or

- 2) By the Agency, when authorized by Board regulations.

BOARD NOTE: The Board does not intend to mandate by any provision of this Part that the Agency exercise its discretion and initiate a SEP pursuant to subsection (d)(2) above. Rather, the Board intends to clarify by this subsection that the Agency may opt to initiate a SEP without receiving a request from the supplier.

- e) The Agency shall evaluate a request for a SEP from the monitoring requirements of Section 611.646(e) and (f) (Phase I VOCs and Phase II VOCs), Section 611.648(a) (for Phase II VOCs) and Section 611.510(a) (for unregulated organic contaminants) on the basis of knowledge of previous use (including transport, storage, or disposal) of the contaminant in the watershed or zone of influence of the system, as determined pursuant to 35 Ill. Adm. Code 671:

- 1) If the Agency determines that there was no prior use of the contaminant, it shall grant the SEP, or

- 2) If the contaminant was previously used or the previous use was unknown, the Agency shall consider the following factors:

- A) Previous analytical results;

- B) The proximity of the system to any possible point source of contamination (including spills or leaks at or near a water treatment facility; at manufacturing, distribution, or storage facilities; from hazardous and municipal waste land fills; or from waste handling or treatment facilities) or non-point source of contamination (including the use of pesticides and other land application uses of the contaminant);

- C) The environmental persistence and transport of the contaminant;

- D) How well the water source is protected against contamination, including whether it is a SWS or a GWS:

- i) A GWS must consider well depth, soil type, and well casing integrity, and

- ii) A SWS must consider watershed protection; and

- E) For Phase II VOCs and unregulated organic contaminants (pursuant to Section 611.631 or 611.648):

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- i) Elevated nitrate levels at the water source; and
- ii) The use of PCBs in equipment used in the production, storage, or distribution of water (including pumps, transformers, etc.); and
- F) For Phase I VOCs and Phase II VOCs (pursuant to Section 611.646): the number of persons served by the PWS and the proximity of a smaller system to a larger one.

f1 If a supplier refuses to provide any necessary additional information requested by the Agency, or if a supplier delivers any necessary information late in the Agency's deliberations on a request, the Agency may deny the requested SEP or grant the SEP with conditions within the time allowed by law.

BOARD NOTE: Subsection (e) above is derived from 40 CFR 141.24(f)(8) and (h)(6) (1992). Subsection (f) above is derived from 40 CFR 141.82(d)(2), and 141.83(b)(2) (1991+2). USEPA has reserved the discretion, at 40 CFR 142.18 (1992), to review and nullify Agency determinations of the types made pursuant to Sections 611.510, 611.602, 611.603, 611.646, and 611.848 and the discretion, at 40 CFR 141.82(i), 141.83(b)(7), and 142.19 (1992), to establish federal standards for any supplier, superseding any Agency determination made pursuant to Sections 611.352(d), 611.352(f), 611.353(b)(2), and 611.353(b)(4).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.111 Section 1415 Variances

This Section is intended as a State equivalent of Section 1415(a)(1)(A) of the SDWA.

- a) The Board may grant a supplier a variance from a NPDR in this Part.
- 1) The supplier shall file a variance petition pursuant to 35 Ill. Adm. Code 104, except as modified or supplemented by this Section.
- 2) The Board may grant a variance from the additional State requirements in this Part without following this Section.
- b) As part of the showing of arbitrary or unreasonable hardship, the supplier shall demonstrate that:
- 1) Because of characteristics of the raw water sources that are reasonably available to the system, the supplier cannot meet the MCL or other requirement; and
- 2) The system has applied 8AT as identified in Subpart G of this Part. 8AT may vary depending on:

- A) The number of persons served by the system;
- B) Physical conditions related to engineering

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feasibility; and

- C) Costs of compliance; and

- 3) The variance will not result in an unreasonable risk to health, as defined in subsection (g) below.

c) The Board will prescribe a schedule for:

- 1) Compliance, including increments of progress, by the supplier, with each MCL or other requirement with respect to which the variance was granted, and
- 2) Implementation by the supplier of each additional control measure for each MCL or other requirement, during the period ending on the date compliance with such requirement is required.

- d) A schedule of compliance will require compliance with each MCL or other requirement with respect to which the variance was granted as expeditiously as practicable.

- e) The Board will provide notice and opportunity for a public hearing as provided in 35 Ill. Adm. Code 104.

f) The Board will not grant a variance:

- 1) From the MCL for total coliforms; provided, however, that the Board may grant a variance from the total coliform MCL of Section 611.325 for PWSs that demonstrate that the violation of the total coliform MCL is due to persistent growth of total coliforms in the distribution system, rather than from fecal or pathogenic contamination, from a treatment lapse or deficiency, or from a problem in the operation or maintenance of the distribution system.

- 2) Or, from any of the treatment technique requirements of Subpart B of this Part.

- g) As used in this Section and Section 611.112, "unreasonable risk to health level" ("URTH level") means the concentration of a contaminant that will cause a serious health effect within the period of time specified in the variance or exemption requested by a supplier seeking to come into compliance by installing the treatment required to reduce the contaminant to the MCL. URTH level determinations are made on the basis of the individual contaminant, taking into account: the degree by which the level exceeds the MCL; duration of exposure; historical data; and population exposed. A risk to health is assumed to be unreasonable unless the supplier demonstrates that there are costs involved that clearly exceed the health benefits to be derived.

- h) The provisions of Section 611.130 apply to determinations made pursuant to this Section.

BOARD NOTE: Derived from 40 CFR 141.4 (1991+2), from Section 1415(a)(1)(A) of the SDWA and from the "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for

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Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102. USEPA has reserved the discretion to review and modify or nullify Board determinations made pursuant to this Section at 40 CFR 142.23 (1992).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.112 Section 1416 Variances

This Section is intended as a State equivalent of Section 1416 of the SDWA.

- a) The Board may grant a supplier a variance from any requirement respecting an MCL or treatment technique requirement of an NPDR in this Part.

- 1) The supplier shall file a variance petition pursuant to 35 Ill. Adm. Code 104, except as modified or supplemented by this Section.

- 2) The Board may grant a variance from the additional State requirements in this Part without following this Section.

- b) As part of the showing of arbitrary or unreasonable hardship, the supplier shall demonstrate that:

- 1) Due to compelling factors (which may include economic factors), the supplier is unable to comply with the MCL or treatment technique requirement;

- 2) The supplier was:

- A) In operation on the effective date of the MCL or treatment technique requirement; or
- B) Not in operation on the effective date of the MCL or treatment technique requirement and no reasonable alternative source of drinking water is available to the supplier; and

- 3) The variance will not result in an unreasonable risk to health.

- c) The Board will prescribe a schedule for:

- 1) Compliance, including increments of progress, by the supplier, with each MCL and treatment technique requirement with respect to which the variance was granted; and
- 2) Implementation by the supplier, during the period ending on the date when compliance is required, of each additional control measure for each contaminant subject to the MCL or treatment technique requirement.

- d) A schedule of compliance will require compliance with each MCL or other requirement with respect to which the variance was granted as expeditiously as practicable; but no schedule shall extend more than 12 months after the date of the variance, except as follows:

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- 1) The Board may extend the date for a period not to exceed three years beyond the date of the variance if the supplier establishes: that it is taking all practicable steps to meet the standard; and:

- A) The supplier cannot meet the standard without capital improvements that cannot be completed within 12 months;

- B) In the case of a supplier that needs financial assistance for the necessary improvements, the supplier has entered into an agreement to obtain such financial assistance; or

- C) The supplier has entered into an enforceable agreement to become a part of a regional PWS; and

- 2) In the case of a PWS with 500 or fewer service connections that needs financial assistance for the necessary improvements, a variance under subsections (d)(1)(A) or (d)(1)(B) above may be renewed for one or more additional two year periods if the supplier establishes that it is taking all practicable steps to meet the final date for compliance.

- e) The Board will provide notice and opportunity for a public hearing as provided in 35 Ill. Adm. Code 104.

- f) The Agency shall promptly send USEPA the Opinion and Order of the Board granting a variance pursuant to this Section. The Board may reconsider and modify a grant of variance, or variance conditions, if USEPA notifies the Board of a finding pursuant to Section 1416 of the SDWA.

BOARD NOTE: Derived from Section 1416 of the SDWA.

- g) The Board will not grant a variance:

- 1) From the MCL for total coliforms; provided, however, that the Board may grant a variance from the total coliform MCL of Section 611.325 for PWSs that demonstrate that the violation of the total coliform MCL is due to persistent growth of total coliforms in the distribution system, rather than from fecal or pathogenic contamination, from a treatment lapse or deficiency, or from a problem in the operation or maintenance of the distribution system.

- 2) From any of the treatment technique requirements of Subpart B of this Part.

- 3) From the residual disinfectant concentration (RDC) requirements of Sections 611.241(c) and 611.242(b).

- h) The provisions of Section 611.130 apply to determinations made pursuant to this Section.

BOARD NOTE: Derived from 40 CFR 141.4 (19912). USEPA has reserved the discretion to review and modify or nullify Board

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determinations made pursuant to this Section at 40 CFR 142.23 (1992).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.113 Alternative Treatment Techniques

This Section is intended to be equivalent to Section 1415(a)(3) of the SDWA.

a) Pursuant to this Section, the Board may grant an adjusted standard from a treatment technique requirement.

b) The supplier seeking an adjusted standard shall file a petition pursuant to 35 Ill. Adm. Code 106.Subpart G.

c) As justification the supplier shall demonstrate that an alternative treatment technique is at least as effective in lowering the level of the contaminant with respect to which the treatment technique requirement was prescribed.

d) As a condition of any adjusted standard, the Board will require the use of the alternative treatment technique.

e) The Board will grant adjusted standards for alternative treatment techniques subject to the following conditions:

1) All adjusted standards shall be subject to the limitations of 40 CFR 142, Subpart G, incorporated by reference in Section 611.102, and

2) All adjusted standards shall be subject to review and approval by USEPA pursuant to 40 CFR 142.46 before they become effective.

BOARD NOTE: Derived from Section 1415(a)(3) of the SDWA.

f) The provisions of Section 611.130 apply to determinations made pursuant to this Section.

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.130 Special Requirements for Certain Variances and Adjusted Standards

a) Relief from the TTHM MCL.

1) In granting any variance or adjusted standard to a supplier that is a CWS that adds a disinfectant at any part of treatment and which provides water to 10,000 or more persons on a regular basis from the maximum contaminant level for TTHM listed in Section 611.310(c), the Board will require application of the best available technology (BAT) identified at subsection (a)(4) below for that constituent as a condition to the relief, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT is not technically appropriate and technically feasible for that system, or it would only result in a marginal reduction in TTHM for that supplier.

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2) The Board will require the following as a condition for relief from the TTHM MCL where it does not require the application of BAT:

A) That the supplier continue to investigate the following methods as an alternative means of significantly reducing the level of TTHM, according to a definite schedule:

i) introduction of off-line water storage for TTHM precursor reduction;

ii) aeration for TTHM reduction, where geography and climate allow;

iii) introduction of clarification, where not presently practiced;

iv) use of alternative sources of raw water; and

v) use of ozone as an alternative or supplemental disinfectant or oxidant, and

B) That the supplier report results of that investigation to the Agency.

3) The Agency shall petition the Board to reconsider or modify a variance or adjusted standard, pursuant to 35 Ill. Adm. Code 101.Subpart K, if it determines that an alternative method identified by the supplier pursuant to subsection (a)(2) above is technically feasible and would result in a significant reduction in TTHM.

4) Best available technology for TTHM reduction:

A) use of chloramines as an alternative or supplemental disinfectant,

B) use of chlorine dioxide as an alternative or supplemental disinfectant, or

C) improved existing clarification for TTHM precursor reduction.

BOARD NOTE: Derived from 40 CFR 142.60 (1992). The restrictions of this subsection do not apply to suppliers regulated for TTHM as an additional state requirement. See the Board Note to Section 611.301(c).

b) Relief from the fluoride MCL.

1) In granting any variance or adjusted standard to a supplier that is a CWS from the maximum contaminant level for fluoride listed in Section 611.301(b), the Board will require application of the best available technology (BAT) identified at subsection (b)(4) below for that constituent as a condition to the relief, unless the supplier has

demonstrated through comprehensive engineering assessments that application of BAT is not technically appropriate and technically feasible for that supplier.

- 2) The Board will require the following as a condition for relief from the fluoride MCL where it does not require the application of BAT:

- A) That the supplier continue to investigate the following methods as an alternative means of significantly reducing the level of TTHM, according to a definite schedule:
- i) modification of lime softening;
 - ii) alum coagulation;
 - iii) electro dialysis;
 - iv) anion exchange resins;
 - v) well field management;
 - vi) use of alternative sources of raw water; and
 - vii) regionalization, and

- B) That the supplier report results of that investigation to the Agency.

- 3) The Agency shall petition the Board to reconsider or modify a variance or adjusted standard, pursuant to 35 Ill. Adm. Code 101. Subpart K, if it determines that an alternative method identified by the supplier pursuant to subsection (b)(2) above is technically feasible and would result in a significant reduction in fluoride.

- 4) Best available technology for fluoride reduction:

- A) activated alumina absorption centrally applied, and
B) reverse osmosis centrally applied.

BOARD NOTE: Derived from 40 CFR 142.61 (1992).

- c) Relief from an inorganic chemical contaminant, VOC, or SOC MCL.

- 1) In granting to a supplier that is a CWS or NTMWS any variance or adjusted standard from the maximum contaminant levels for any VOC or SOC, listed in Section 611.311(a) or (c), or for any inorganic chemical contaminant, listed in Section 611.301, the supplier must have first applied the best available technology (BAT) identified at Section 611.311(b) (VOCs and SOCs) or Section 611.301(c) (inorganic chemical contaminants) for that constituent, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT would achieve only a minimal and insignificant reduction in the level of

contaminant.

- 2) The Board may require any of the following as a condition for relief from a MCL listed in Section 611.301 or 611.311:

- A) That the supplier continue to investigate alternative means of compliance according to a definite schedule, and
B) That the supplier report results of that investigation to the Agency.

- 3) The Agency shall petition the Board to reconsider or modify a variance or adjusted standard, pursuant to 35 Ill. Adm. Code 101. Subpart K, if it determines that an alternative method identified by the supplier pursuant to subsection (c)(2) above is technically feasible.

BOARD NOTE: Derived from 40 CFR 142.62(a) through (e) (1992).

- d) Conditions requiring use of bottled water or point-of-use or point-of-entry devices. In granting any variance or adjusted standard from the maximum contaminant levels for organic and inorganic chemicals or an adjusted standard from the treatment techniques for lead and copper, the Board may impose certain conditions requiring the use of bottled water, point-of-entry devices, or point-of-use devices to avoid an unreasonable risk to health, limited as provided in subsections (e) and (f) below.

- 1) Relief from an MCL. The Board may, when granting any variance or adjusted standard from the MCL requirements of Sections 611.301 and 611.311, impose a condition that requires a supplier to use bottled water, point-of-use devices, point-of-entry devices or other means to avoid an unreasonable risk to health.

- 2) Relief from corrosion control treatment. The Board may, when granting an adjusted standard from the corrosion control treatment requirements for lead and copper of Sections 611.351 and 611.352, impose a condition that requires a supplier to use bottled water and point-of-use devices or other means, but not point-of-entry devices, to avoid an unreasonable risk to health.

- 3) Relief from source water treatment or service line replacement. The Board may, when granting an exemption from the source water treatment and lead service line replacement requirements for lead and copper under Sections 611.353 or 611.354, impose a condition that requires a supplier to use point-of-entry devices to avoid an unreasonable risk to health.

BOARD NOTE: Derived from 40 CFR 142.62(f) (1992).

- e) Use of bottled water. Suppliers that propose to use or use bottled water as a condition for receiving a variance or an adjusted standard from the requirements of Section 611.301 or

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Section 611.311, or an adjusted standard from the requirements of Sections 611.351 through 611.354 must meet the requirements of either subsections (e)(1), (e)(2), (e)(3), and (e)(6) or (e)(4), (e)(5), and (e)(6) below:

- 1) The supplier must develop a monitoring program for Board approval that provides reasonable assurances that the bottled water meets all MCLs of Sections 611.301 and 611.311 and submit a description of this program as part of its petition. The proposed program must describe how the supplier will comply with each requirement of this subsection.
- 2) The supplier must monitor representative samples of the bottled water for all contaminants regulated under Sections 611.301 and 611.311 during the first three-month period that it supplies the bottled water to the public, and annually thereafter.
- 3) The supplier shall annually provide the results of the monitoring program to the Agency.
- 4) The supplier must receive a certification from the bottled water company as to each of the following:
 - A) that the bottled water supplied has been taken from an approved source of bottled water, as such is defined in Section 611.101;
 - B) that the approved source of bottled water has conducted monitoring in accordance with 21 CFR 129.80(a)(1) through (3);
 - C) and that the bottled water does not exceed any MCLs or quality limits as set out in 21 CFR 103.35, 110, and 129.
- 5) The supplier shall provide the certification required by subsection (e)(4) above to the Agency during the first quarter after it begins supplying bottled water and annually thereafter.
- 6) The supplier shall assure the provision of sufficient quantities of bottled water to every affected person supplied by the supplier via door-to-door bottled water delivery.

Derived from 40 CFR 142.62(g) (1992).

- f) Use of point-of-entry devices. Before the Board grants any PWS a variance or adjusted standard from any NPDR that includes a condition requiring the use of a point-of-entry device, the supplier must demonstrate to the Board each of the following:

- 1) that the supplier will operate and maintain the device;
- 2) that the device provides health protection equivalent to that provided by central treatment;

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- 3) that the supplier will maintain the microbiological safety of the water at all times;
- 4) that the supplier has established standards for performance, conducted a rigorous engineering design review, and field tested the device;

- 5) that the operation and maintenance of the device will account for any potential for increased concentrations of heterotrophic bacteria resulting through the use of activated carbon, by backwashing, post-contactor disinfection, and heterotrophic plate count monitoring;

- 6) that buildings connected to the supplier's distribution system have sufficient devices properly installed, maintained, and monitored to assure that all consumers are protected; and

- 7) that the use of the device will not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

BOARD NOTE: Derived from 40 CFR 142.62(h) (1992).

(Source: Added at 17 Ill. Reg. 7796 __, effective May 18, 1993)

SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

Section 611.280 Point-of-Entry Devices

- a) Suppliers may use point-of-entry devices to comply with MCLs only if they meet the requirements of this Section.

- b) It is the responsibility of the supplier to operate and maintain the point-of entry treatment system.

- c) The supplier shall develop a monitoring plan before point-of-entry devices are installed for compliance.

- 1) Point-of-entry devices must provide health protection equivalent to central water treatment. "Equivalent" means that the water would meet all NPDR and would be of acceptable quality similar to water distributed by a well-operated central treatment plant.

- 2) In addition to the VOCs, monitoring must include physical measurements and observations such as total flow treated and mechanical condition of the treatment equipment.

- 3) Use of point-of-entry devices must be approved by ~~specat~~ exception permit ~~SEP~~ SEP granted by the Agency pursuant to Section 611.110.

- d) Effective technology must be properly applied under a plan approved by the Agency and the microbiological safety of the water must be maintained.

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- 1) The Agency shall require adequate certification of performance, field testing, and, if not included in the certification process, a rigorous engineering design review of the point-of-entry devices.
- 2) The design and application of the point-of-entry devices must consider the tendency for increase in heterotrophic bacteria concentrations in water treated with activated carbon. The Agency may require, by special exception permit, frequent backwashing, post-contactor disinfection and HPC monitoring to ensure that the microbiological safety of the water is not compromised.

- e) All consumers must be protected. Every Building connected to the system must have a point-of-entry device installed, maintained and adequately monitored. The Agency must be assured that every building is subject to treatment and monitoring, and that the rights and responsibilities of the PWS customer convey with title upon sale of property.

- f) Use of any point-of-entry device must not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

BOARD NOTE: Derived from 40 CFR 141.100 and 142.62(h)(7) (19892).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.290 Use of other Non-centralized Treatment Point-of-Use Devices or Bottled Water

- a) Suppliers shall not use bottled water or point-of-use devices to achieve compliance with an MCL.
- b) Bottled water or point-of-use devices may be used on a temporary basis to avoid an unreasonable risk to health pursuant to a SEP granted by the Agency under Section 611.110.
- c) Any use of bottled water must comply with the substantive requirements of Section 611.130(e), except that the supplier shall submit its quality control plan for Agency review as part of its SEP request, rather than for Board review.

BOARD NOTE: Derived from 40 CFR 141.101 (19892).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

SUBPART D: TREATMENT TECHNIQUES

Section 611.297 Corrosion Control

A supplier may be required to install and maintain optimal corrosion control pursuant to Section 611.352.

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

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SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL'S)

Section 611.300 Old MCLs for Inorganic Chemicals

- a) The old MCLs listed in subsection (b) below for nitrate is applicable to both CWS suppliers and non-CWS suppliers except as provided by in subsection (d). The level for the other inorganic chemicals apply only to CWS suppliers. The levels for additional state requirements apply only to CWS. Compliance with old MCLs for inorganic chemicals is calculated pursuant to Section 611.612. The MCLs for barium and lead shall remain effective until repealed or amended in a later rulemaking.

BOARD NOTE: Derived from 40 CFR 141.11(a) (19912). USEPA has given an expiration date of December 7, 1992 for the MCL for lead and January 1, 1993 for barium because these are the effective dates for the federal lead and copper (56 Fed. Reg. 2460 (June 7 1991)) and Phase IIB (56 Fed. Reg. 30266 (July 17, 1991)) rule, respectively. The Board will repeal the lead and barium MCLs as appropriate when the Illinois lead and copper and Phase IIB rule package becomes effective.

- b) The following are the old MCL's for inorganic chemicals:

| Contaminant | Level, mg/L | Additional State Requirement (*) |
|-------------|-------------|----------------------------------|
| Arsenic | 0.05 | |
| Barium | 1 | |
| Copper | 5 | |
| Cyanide | 0.2 | |
| Fluoride | 4.0 | |
| Iron | 1.0 | |
| Lead | 0.05 | |
| Manganese | 0.15 | |
| Zinc | 5 | |

BOARD NOTE: Derived from 40 CFR 141.11(b) (19912). This provision, which corresponds with 40 CFR 141.11, was formerly the only listing of MCLs for inorganic parameters. However, USEPA added another listing of inorganic MCLs at 40 CFR 141.62 at 56 Fed. Reg. 3594 (Jan. 30, 1991). Following the changing USEPA codification scheme creates two listings of MCLs: one at this section and one at Section 611.301. This also causes fluoride to appear in both the 40 CFR 141.11(b) and 141.62(b) listings with the same MCL. The impact of the two listings are distinct. Board has deleted the corresponding fluoride MCL from this section in favor of that which appears at Section 611.301(b).

- c) The secondary old MCL for fluoride is 2.0 mg/L.

BOARD NOTE: Derived from 40 CFR 141.11(c) (19912).

- d) Nitrate.

- 1) The Board incorporates by reference 40 CFR 141.11(d)

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(1992). This incorporation includes no later editions or amendments.

- 2) Non-CWSs may exceed the MCL for nitrate to the extent authorized by 40 CFR 141.11(d).

BOARD NOTE: Derived from 40 CFR 141.11(d) (1992). Public Health regulations may impose a nitrate limitation requirement. Those regulations are at 77 Ill. Adm. Code 900.50.

- e) The following supplementary condition applies to the concentrations listed in subsection (b) above: Iron and manganese:

- 1) CWS suppliers that serve a population of 1000 or less, or 300 service connections or less, are exempt from the standards for iron and manganese.
- 2) The Agency may, by special exception permit, allow iron and manganese in excess of the MCL if sequestration tried on an experimental basis proves to be effective. If sequestration is not effective, positive iron or manganese reduction treatment as applicable must be provided. Experimental use of a sequestering agent may be tried only if approved by special exception permit.

BOARD NOTE: This is an additional State requirement.
(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.301 Revised MCLs for Inorganic Chemicals

- a) This subsection corresponds with 40 CFR 141.62(a), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

- b) The MCLs in the following table apply to CWSs. Except for fluoride, the MCLs also apply to NTNCWSs. The MCLs for nitrate, nitrite and total nitrate and nitrite also apply to transient non-CWSs.

| Contaminant | MCL | Units |
|----------------------------------|----------------|--|
| Fluoride | 4.0 | mg/L |
| Asbestos | 7 _r | million fibers/L (larger than 10 micrometers) MFL |
| Barium | 2 | mg/L |
| Cadmium | 0.005 | mg/L |
| Chromium | 0.1 | mg/L |
| Mercury | 0.002 | mg/L |
| Nitrate (as N) | 10. | mg/L |
| Nitrite (as N) | 1. | mg/L |
| Total Nitrate and Nitrite (as N) | 10. | mg/L |
| Selenium | 0.05 | mg/L |

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- c) USEPA has identified the following as BAT for achieving compliance with the MCL for the inorganic contaminants identified in subsection (b) above, except for fluoride:

| Contaminant | BAT(s) |
|-------------|--|
| Asbestos | C/F DDF CC |
| Barium | IX LIME RO ED |
| Cadmium | C/F IX LIME RO |
| Chromium | C/F IX LIME, BAT for Cr(III) only RO |
| Mercury | C/F, BAT only if influent Hg concentrations less than or equal to (\leq) 10 μ g/L GAC LIME, BAT only if influent Hg concentrations \leq 10 μ /L RO, BAT only if influent Hg concentrations \leq 10 μ /L |
| Nitrate | IX RO ED |
| Nitrite | IX RO |
| Selenium | AAL C/F, BAT for Se(IV) only LIME RO ED |

Abbreviations

| | |
|------|---------------------------------|
| AAL | Activated alumina |
| C/F | Coagulation/filtration |
| DDF | Direct and diatomite filtration |
| GAC | Granular activated carbon |
| IX | Ion exchange |
| LIME | Lime softening |
| RO | Reverse osmosis |
| CC | Corrosion control |
| ED | Electrodialysis |

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BOARD NOTE: Derived from 40 CFR 141.62 (19912).
(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.311 Revised MCLs for Organic Contaminants

- a) Volatile organic chemical contaminants. The following MCLs for volatile organic chemical contaminants (VOCs) apply to CWS suppliers and NTCWS suppliers.

| CAS No. | Contaminant | MCL (mg/L) |
|-----------|----------------------------|------------|
| 71-43-2 | Benzene | 0.005 |
| 56-23-5 | Carbon tetrachloride | 0.005 |
| 95-50-1 | o-Dichlorobenzene | 0.6 |
| 106-46-7 | p-Dichlorobenzene | 0.075 |
| 107-06-2 | 1,2-Dichloroethane | 0.005 |
| 75-35-4 | 1,1-Dichloroethylene | 0.007 |
| 156-59-2 | cis-1,2-Dichloroethylene | 0.07 |
| 156-60-5 | trans-1,2-Dichloroethylene | 0.1 |
| 78-87-5 | 1,2-Dichloropropane | 0.005 |
| 100-41-4 | Ethylbenzene | 0.7 |
| 108-90-7 | Monochlorobenzene | 0.1 |
| 100-42-5 | Styrene | 0.1 |
| 127-18-4 | Tetrachloroethylene | 0.005 |
| 108-88-3 | Toluene | 1 |
| 71-55-6 | 1,1,1-Trichloroethane | 0.2 |
| 79-01-6 | Trichloroethylene | 0.005 |
| 75-01-4 | Vinyl chloride | 0.002 |
| 1330-20-7 | Xylenes (total) | 10 |

- b) USEPA has identified, as indicated below, granular activated carbon (GAC) or packed tower aeration (PTA) as BAT for achieving compliance with the MCLs for volatile organic chemical contaminants and synthetic organic chemical contaminants in subsections (a) and (c) of this Section.

| CAS No. | Contaminant | MCL (mg/L) |
|------------|----------------------------|------------|
| 15972-60-8 | Alachlor | GAC |
| 116-06-3 | Aldicarb | GAC |
| 1646-887-4 | Aldicarb sulfone | GAC |
| 1646-87-3 | Aldicarb sulfoxide | GAC |
| 1912-24-9 | Atrazine | GAC |
| 71-43-2 | Benzene | GAC, PTA |
| 1563-66-2 | Carbofuran | GAC |
| 56-23-5 | Carbon tetrachloride | GAC, PTA |
| 57-74-9 | Chlordane | GAC |
| 94-75-7 | 2,4-D | GAC |
| 96-12-8 | Dibromochloropropane | GAC |
| 95-50-1 | o-Dichlorobenzene | GAC, PTA |
| 106-46-7 | p-Dichlorobenzene | GAC, PTA |
| 107-06-2 | 1,2-Dichloroethane | GAC, PTA |
| 156-59-2 | cis-1,2-Dichloroethylene | GAC, PTA |
| 75-35-4 | trans-1,2-Dichloroethylene | GAC, PTA |
| 78-87-5 | 1,1-Dichloroethylene | GAC, PTA |
| 106-93-4 | 1,2-Dichloropropane | GAC, PTA |
| 100-41-4 | Ethylbenzene | GAC, PTA |

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| CAS No. | Contaminant | MCL (mg/L) |
|-----------|---------------------------------|------------|
| 76-44-8 | Heptachlor | GAC |
| 1024-57-3 | Heptachlor epoxide | GAC |
| 58-89-9 | Lindane | GAC |
| 72-43-5 | Methoxychlor | GAC |
| 108-90-7 | Monochlorobenzene | GAC, PTA |
| 87-86-5 | Pentachlorophenol | GAC |
| 1336-36-3 | Polychlorinated biphenyls (PCB) | GAC |
| 87-86-5 | Pentachlorophenol | GAC |
| 100-42-5 | Styrene | GAC, PTA |
| 127-18-4 | Tetrachloroethylene | GAC, PTA |
| 71-55-6 | 1,1,1-Trichloroethane | GAC, PTA |
| 79-01-6 | Trichloroethylene | GAC, PTA |
| 108-88-3 | Toluene | GAC |
| 8001-35-2 | Toxaphene | GAC |
| 93-72-1 | 2,4,5-Tp | GAC |
| 75-01-4 | Vinyl chloride | PTA |
| 1330-20-7 | Xylene | GAC, PTA |

- c) Synthetic organic chemical contaminants. The following MCLs for synthetic organic chemical contaminants (SOCs) apply to CWS and NTCWS suppliers.

| CAS Number | Contaminant | MCL (mg/L) |
|------------|----------------------------------|------------|
| 15972-60-8 | Alachlor | 0.002 |
| 116-06-3 | Aldicarb | 0.003 |
| 1646-87-4 | Aldicarb sulfone | 0.002 |
| 1646-87-3 | Aldicarb sulfoxide | 0.004 |
| 1912-24-9 | Atrazine | 0.003 |
| 1563-66-2 | Carbofuran | 0.04 |
| 57-74-9 | Chlordane | 0.002 |
| 94-75-7 | 2,4-D | 0.07 |
| 96-12-8 | Dibromochloropropane | 0.0002 |
| 106-93-4 | Ethylene dibromide | 0.00005 |
| 76-44-8 | Heptachlor | 0.0004 |
| 1024-57-3 | Heptachlor epoxide | 0.0002 |
| 58-89-9 | Lindane | 0.0002 |
| 72-43-5 | Methoxychlor | 0.04 |
| 87-86-5 | Pentachlorophenol | 0.001 |
| 1336-36-3 | Polychlorinated biphenyls (PCBs) | 0.0005 |
| 8001-35-2 | Toxaphene | 0.003 |
| 93-72-1 | 2,4,5-Tp | 0.05 |

BOARD NOTE: Derived from 40 CFR 141.61 (19912). More stringent state MCLs for 2,4-D, heptachlor, and heptachlor epoxide appear at Section 611.310. See the Board Note at that provision. The effectiveness of the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfoxide are administratively stayed until the Board takes further administrative action to end this stay. However, suppliers must monitor for these three SOCs pursuant to Section 611.648. See 40 CFR 141.6(g) (1992) and 57 Fed. Reg. 22178 (May 27, 1992).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

SUBPART G: LEAD AND COPPER

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Section 611.350

General Requirements

a) Applicability and Scope

1) Applicability. The requirements of this Subpart constitute national primary drinking water regulations for lead and copper. This Subpart applies to all community water systems (CWSs) and non-transient, non-community water systems (NTNCSs).

2) Scope. This Subpart establishes a treatment technique that includes requirements for corrosion control treatment, source water treatment, lead service line replacement, and public education. These requirements are triggered, in some cases, by lead and copper action levels measured in samples collected at consumers' taps.

b) Definitions. For the purposes of only this Subpart, the following terms shall have the following meanings:

"Action level" means that concentration of lead or copper in water computed pursuant to subsection (c) below that determines, in some cases, the treatment requirements of this Subpart which a supplier must complete. The action level for lead is 0.015 mg/L. The action level for copper is 1.3 mg/L.

"Corrosion inhibitor" means a substance capable of reducing the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.

"Effective corrosion inhibitor residual" means a concentration of inhibitor in the drinking water sufficient to form a passivating film on the interior walls of a pipe.

"Exceed" as this term is applied to either the lead or the copper action level, means that the 90th percentile level of the supplier's samples collected during a six-month monitoring period is greater than the action level for that contaminant.

"First draw sample" means a one-liter sample of tap water, collected in accordance with Section 611.356(b)(2), that has been standing in plumbing pipes for at least 6 hours and which is collected without flushing the tap.

"Large system" means a water system that regularly serves water to more than 50,000 persons.

"Lead service line", means a service line made of lead that connects the water main to the building inlet, including any lead pitfall, goose-neck, or other fitting that is connected to such lead line.

"Maximum permissible concentration" or "MPC" means that concentration of lead or copper for finished water entering the supplier's distribution system, designated by the Agency

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by a SPP pursuant to Sections 611.110 and 611.353(b) that reflects the contaminant removal capability of the treatment properly operated and maintained.

BOARD NOTE: Derived from 40 CFR 141.83(b)(4) (1992) [Section 611.353(b)(4)(B)].

"Medium-sized system" means a water system that regularly serves water to more than 3,300 up to 50,000 or fewer persons.

"Meet" as this term is applied to either the lead or the copper action level, means that the 90th percentile level of the supplier's samples collected during a six-month monitoring period is less than or equal to the action level for that contaminant.

"Method detection limit" or "MDL" is as defined at Section 611.646(a). The MDL for lead is 0.001 mg/L. The MDL for copper is 0.001 mg/L, or 0.020 mg/L by atomic absorption direct aspiration method.

BOARD NOTE: Derived from 40 CFR 141.89(a)(1)(iii) (1992).

"Monitoring period" means any of the six-month periods of time during which a supplier must complete a cycle of monitoring under this Subpart.

BOARD NOTE: USEPA refers to these as "monitoring periods". The Board uses "six-month monitoring period" to avoid confusion with "compliance period", as used elsewhere in this Part and defined at Section 611.101.

"Multiple-family residence" means a building that is currently used as a multiple-family residence, but not one that is also a "single-family structure".

"90th percentile level" means that concentration of lead or copper contaminant exceeded by 10 percent or fewer of all samples collected during a six-month monitoring period pursuant to Section 611.356 (i.e., that concentration of contaminant greater than or equal to the results obtained from 90 percent of the samples). The 90th percentile levels for copper and lead shall be determined pursuant to subsection (c)(3) below.

BOARD NOTE: Derived from 40 CFR 141.80(c) (1992).

"Optimal corrosion control treatment" means the corrosion control treatment that minimizes the lead and copper concentrations at users' taps while ensuring that the treatment does not cause the water system to violate any national primary drinking water regulations.

"Practical quantitation limit" or "POL" means the lowest concentration of a contaminant that a well-operated laboratory can reliably achieve within specified limits of precision and accuracy during routine laboratory operating conditions. The POL for lead is 0.005 mg/L. The POL for copper is 0.050 mg/L.

BOARD NOTE: Derived from 40 CFR 141.89(a)(1)(iv) (1992) and 56 Fed. Reg. 26511-12 (June 7, 1991) (preamble). USEPA has

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generally defined the POL as 5 to 10 times the method detection limit.

"Service line sample" means a one-liter sample of water, collected in accordance with Section 611.356(b)(3), that has been standing for at least 6 hours in a service line.

"Single-family structure" means a building that was constructed as a single-family residence and which is currently used as either a residence or a place of business.

"Small system" means a water system that regularly serves water to 3,300 or fewer persons.

BOARD NOTE: Derived from 40 CFR 141.2 (1992).

c1) Lead and Copper Action Levels:

1) The lead action level is exceeded if the 90th percentile lead level is greater than 0.015 mg/L.

2) The copper action level is exceeded if the 90th percentile copper level is greater than 1.3 mg/L.

3) Suppliers shall compute the 90th percentile lead and copper levels as follows:

A) List the results of all lead or copper samples taken during a six-month monitoring period in ascending order, ranging from the sample with the lowest concentration first to the sample with the highest concentration last. Assign each sampling result a number, ascending by single integers beginning with the number 1 for the sample with the lowest contaminant level. The number assigned to the sample with the highest contaminant level shall be equal to the total number of samples taken.

B) Determine the number for the 90th percentile sample by multiplying the total number of samples taken during the six-month monitoring period by 0.9.

C) The contaminant concentration in the sample with the number yielded by the calculation in subsection (c)(3)(B) above is the 90th percentile contaminant level.

D) For suppliers that collect 5 samples per six-month monitoring period, the 90th percentile is computed by taking the average of the highest and second highest concentrations.

d1) Corrosion Control Treatment Requirements:

1) All suppliers shall install and operate optimal corrosion control treatment.

2) Any supplier that complies with the applicable corrosion

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control treatment requirements specified by the Agency pursuant to Sections 611.351 and 611.352 is deemed in compliance with the treatment requirement of subsection (d)(1) above.

e) Source water treatment requirements. Any supplier whose system exceeds the lead or copper action level shall implement all applicable source water treatment requirements specified by the Agency pursuant to Section 611.355.

f) Lead service line replacement requirements. Any supplier whose system exceeds the lead action level after implementation of applicable corrosion control and source water treatment requirements shall complete the lead service line replacement requirements contained in Section 611.354.

g) Public education requirements. Any supplier whose system exceeds the lead action level shall implement the public education requirements contained in Section 611.355.

h) Monitoring and analytical requirements. Suppliers shall complete all tap water monitoring for lead and copper, monitoring for water quality parameters, source water monitoring for lead and copper, and analyses of the monitoring results under this Subpart in compliance with Sections 611.356, 611.357, 611.358, and 611.359.

i) Reporting requirements. Suppliers shall report to the Agency any information required by the treatment provisions of this Subpart and Section 611.360.

j) Recordkeeping requirements. Suppliers shall maintain records in accordance with Section 611.361.

k) Violation of national primary drinking water regulations. Failure to comply with the applicable requirements of this Subpart, including conditions imposed by the Agency by special exception permit (SEP) pursuant to these provisions, shall constitute a violation of the national primary drinking water regulations for lead or copper.

BOARD NOTE: Derived from 40 CFR 141.80 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.351 Applicability of Corrosion Control

a) Corrosion control required. Suppliers shall complete the applicable corrosion control treatment requirements described in Section 611.352 on or before the deadlines set forth in this Section.

1) Large systems. Each large system supplier (one regularly serving more than 50,000 persons) shall complete the corrosion control treatment steps specified in subsection (d) below, unless it is deemed to have optimized corrosion control under subsection (b)(2) or (b)(3) below.

2) Medium-sized and small systems. Each small system supplier

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one regularly serving 3300 or fewer persons) and each medium-sized system (one regularly serving more than 3,300 up to 50,000 or fewer persons) shall complete the corrosion control treatment steps specified in subsection (e) below, unless it is deemed to have optimized corrosion control under one of subsections (b)(1), (b)(2), or (b)(3) below.

b) Suppliers deemed to have optimized corrosion control. A supplier is deemed to have optimized corrosion control, and is not required to complete the applicable corrosion control treatment steps identified in this Section, if the supplier satisfies one of the following criteria:

1) Small or medium-sized system meeting action levels. A small system or medium-sized system supplier is deemed to have optimized corrosion control if the system meets the lead and copper action levels during each of two consecutive six-month monitoring periods with monitoring conducted in accordance with Section 611.356.

2) SEP for equivalent activities to corrosion control. The Agency shall, by a SEP granted pursuant to Section 611.110, deem any supplier to have optimized corrosion control treatment if it determines that the supplier has conducted activities equivalent to the corrosion control steps applicable under this Section. In making this determination, the Agency shall specify the water quality control parameters representing optimal corrosion control in accordance with Section 611.352(f). A supplier shall provide the Agency with the following information in order to support an Agency SEP determination under this subsection:

A) the results of all test samples collected for each of the water quality parameters in Section 611.352(c)(3);

B) a report explaining the test methods the supplier used to evaluate the corrosion control treatments listed in Section 611.352(c)(1), the results of all tests conducted, and the basis for the supplier's selection of optimal corrosion control treatment;

C) a report explaining how the supplier has installed corrosion control and how the supplier maintains it to insure minimal lead and copper concentrations at consumers' taps; and

D) the results of tap water samples collected in accordance with Section 611.356 at least once every six months for one year after corrosion control has been installed.

3) Results less than practical quantitation level for lead. Any supplier is deemed to have optimized corrosion control if it submits results of tap water monitoring conducted in accordance with Section 611.356 and source water monitoring conducted in accordance with Section 611.358 that demonstrate that for two consecutive six-month monitoring

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periods the difference between the 90th percentile tap water lead level, computed pursuant to Section 611.350(c)(3), and the highest source water lead concentration is less than the practical quantitation level for lead specified in Section 611.359(a)(1)(B)(i).

c) Suppliers not required to complete corrosion control steps for having met both action levels.

1) Any small system or medium-sized system supplier, otherwise required to complete the corrosion control steps due to its exceedance of the lead or copper action level, may cease completing the treatment steps after the supplier has fulfilled both of the following conditions:

A) It has met both the copper action level and the lead action level during each of two consecutive six-month monitoring periods conducted pursuant to Section 611.356, and

B) the supplier has submitted the results for those two consecutive six-month monitoring periods to the Agency.

2) A supplier that has ceased completing the corrosion control steps pursuant to subsection (c)(1) above (or the Agency, if appropriate) shall resume completion of the applicable treatment steps, beginning with the first treatment step that the supplier previously did not complete in its entirety, if the supplier thereafter exceeds the lead or copper action level during any monitoring period.

3) The Agency may, by SEP, require a supplier to repeat treatment steps previously completed by the supplier where it determines that this is necessary to properly implement the treatment requirements of this Section. Any such SEP shall explain the basis for this decision.

d) Treatment steps and deadlines for large systems. Except as provided in subsections (b)(2) and (b)(3) above, large system suppliers shall complete the following corrosion control treatment steps (described in the referenced portions of Sections 611.352, 611.356, and 611.357) on or before the indicated dates.

1) Step 1: The supplier shall conduct initial monitoring (Sections 611.356(d)(1) and 611.357(b)) during two consecutive six-month monitoring periods on or before January 1, 1993.

BOARD NOTE: USEPA specified January 1, 1993 at 40 CFR 141.81(d)(1). In order to remain identical in substance and to retain state privacy, the Board retained this date despite the fact that this Section became effective after that date.

2) Step 2: The supplier shall complete corrosion control studies (Section 611.352(c)) on or before July 1, 1994.

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- 3) Step 3: The Agency shall approve optimal corrosion control treatment (Section 611.352(d)) by a SEP issued pursuant to Section 611.110 on or before January 1, 1995.
- 4) Step 4: The supplier shall install optimal corrosion control treatment (Section 611.352(e)) by January 1, 1997.
- 5) Step 5: The supplier shall complete follow-up sampling (Sections 611.356(d)(2) and 611.357(c)) by January 1, 1998.
- 6) Step 6: The Agency shall review installation of treatment and approve optimal water quality control parameters (Section 611.352(f)) by July 1, 1998.
- 7) Step 7: The supplier shall operate in compliance with the Agency-specified optimal water quality control parameters (Section 611.352(g)) and continue to conduct tap sampling (Sections 611.356(d)(3) and 611.357(d)).
- Treatment steps and deadlines for small and medium-sized system suppliers. Except as provided in subsection (b) above, small and medium-sized system suppliers shall complete the following corrosion control treatment steps (described in the referenced portions of Sections 611.352, 611.356 and 611.357) by the indicated time periods.
- 1) Step 1: The supplier shall conduct initial tap sampling (Sections 611.356(d)(1) and 611.357(b)) until the supplier either exceeds the lead action level or the copper action level or it becomes eligible for reduced monitoring under Section 611.356(d)(4). A supplier exceeding the lead action level or the copper action level shall recommend optimal corrosion control treatment (Section 611.352(a)) within six months after it exceeds one of the action levels.
- 2) Step 2: Within 12 months after a supplier exceeds the lead action level or the copper action level, the Agency may require the supplier to perform corrosion control studies (Section 611.352(b)). If the Agency does not require the supplier to perform such studies, the Agency shall, by a SEP issued pursuant to Section 611.110, specify optimal corrosion control treatment (Section 611.352(d)) within the following timeframes:
- A) for medium-sized systems, within 18 months after such supplier exceeds the lead action level or the copper action level.
- B) for small systems, within 24 months after such supplier exceeds the lead action level or the copper action level.
- 3) Step 3: If the Agency requires a supplier to perform corrosion control studies under step 2 (subsection (e)(2) above), the supplier shall complete the studies (Section 611.352(c)) within 18 months after the Agency requires that such studies be conducted.

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- 4) Step 4: If the supplier has performed corrosion control studies under step 2 (subsection (e)(2) above), the Agency shall, by a SEP issued pursuant to Section 611.110, approve optimal corrosion control treatment (Section 611.352(d)) within 6 months after completion of step 3 (subsection (e)(3) above).
- 5) Step 5: The supplier shall install optimal corrosion control treatment (Section 611.352(e)) within 24 months after the Agency approves such treatment.
- 6) Step 6: The supplier shall complete follow-up sampling (Sections 611.356(d)(2) and 611.357(c)) within 36 months after the Agency approves optimal corrosion control treatment.
- 7) Step 7: The Agency shall review the supplier's installation of treatment and, by a SEP issued pursuant to Section 611.110, approve optimal water quality control parameters (Section 611.352(f)) within 6 months after completion of step 6 (subsection (e)(6) above).
- 8) Step 8: The supplier shall operate in compliance with the Agency-approved optimal water quality control parameters (Section 611.352(g)) and continue to conduct tap sampling (Sections 611.356(d)(3) and 611.357(d)).
- BOARD NOTE: Derived from 40 CFR 141.81 (1992).
- (Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)
- Section 611.352 Corrosion Control Treatment
- Each supplier shall complete the corrosion control treatment requirements described below that are applicable to such supplier under Section 611.351.
- a) System recommendation regarding corrosion control treatment.
- 1) Based on the results of lead and copper tap monitoring and water quality parameter monitoring, small and medium-sized system suppliers exceeding the lead action level or the copper action level shall recommend to the Agency installation of one or more of the corrosion control treatments listed in subsection (c)(1) below that the supplier believes constitutes optimal corrosion control for its system.
- 2) The Agency may, by a SEP issued pursuant to Section 611.110, require the supplier to conduct additional water quality parameter monitoring in accordance with Section 611.357(b) to assist it in reviewing the supplier's recommendation.
- b) Agency-required studies of corrosion control treatment. The Agency may, by a SEP issued pursuant to Section 611.110, require any small or medium-sized system supplier that exceeds the lead action level or the copper action level to perform corrosion control studies under subsection (c) below to identify optimal corrosion control treatment for its system.

- c1
- c1

Performance of studies:

1) Any supplier performing corrosion control studies shall evaluate the effectiveness of each of the following treatments, and, if appropriate, combinations of the following treatments, to identify the optimal corrosion control treatment for its system:

A1

alkalinity and pH adjustment;

B1

calcium hardness adjustment; and

C1

the addition of a phosphate- or silicate-based corrosion inhibitor at a concentration sufficient to maintain an effective residual concentration in all test tap samples.

2) The supplier shall evaluate each of the corrosion control treatments using either pipe rig/loop tests; metal coupon tests; partial-system tests; or analyses based on documented analogous treatments in other systems of similar size, water chemistry, and distribution system configuration.

3) The supplier shall measure the following water quality parameters in any tests conducted under this subsection before and after evaluating the corrosion control treatments listed above:

A1

lead;

B1

copper;

C1

pH;

D1

alkalinity;

E1

calcium;

F1

conductivity;

G1

orthophosphate (when an inhibitor containing a phosphate compound is used);

H1

silicate (when an inhibitor containing a silicate compound is used); and

I1

water temperature.

4) The supplier shall identify all chemical or physical constraints that limit or prohibit the use of a particular corrosion control treatment, and document such constraints with at least one of the following:

A1

data and documentation showing that a particular corrosion control treatment has adversely affected other water treatment processes when used by another supplier with comparable water quality characteristics; or

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7848

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B1

data and documentation demonstrating that the supplier has previously attempted to evaluate a particular corrosion control treatment, finding either that the treatment is ineffective or it adversely affects other water quality treatment processes.

5) The supplier shall evaluate the effect of the chemicals used for corrosion control treatment on other water quality treatment processes.

6) On the basis of an analysis of the data generated during each evaluation, the supplier shall recommend to the Agency, in writing, that treatment option the corrosion control studies indicate constitutes optimal corrosion control treatment for its system. The supplier shall provide a rationale for its recommendation, along with all supporting documentation specified in subsections (c)(1) through (c)(5) above.

d1

Agency approval of treatment:

1) Based on consideration of available information including, where applicable, studies performed under subsection (c) above and a supplier's recommended treatment alternative, the Agency shall, by a SEP issued pursuant to Section 611.110, either approve the corrosion control treatment option recommended by the supplier, or deny and require investigation and recommendation of alternative corrosion control treatment(s) from among those listed in subsection (c)(1) above. When approving optimal treatment, the Agency shall consider the effects that additional corrosion control treatment will have on water quality parameters and on other water quality treatment processes.

2) The Agency shall, in any SEP issued under subsection (d)(1) above, notify the supplier of the basis for this determination.

e1

Installation of optimal corrosion control. Each supplier shall properly install and operate, throughout its distribution system, that optimal corrosion control treatment approved by the Agency pursuant to subsection (d) above.

f1

Agency review of treatment and specification of optimal water quality control parameters. The Agency shall evaluate the results of all lead and copper tap samples and water quality parameter samples submitted by the supplier and determine whether it has properly installed and operated the optimal corrosion control treatment approved pursuant to subsection (d) above.

1) Upon reviewing the results of tap water and water quality parameter monitoring by the supplier, both before and after the installation of optimal corrosion control treatment, the Agency shall, by a SEP issued pursuant to Section 611.110, specify:

A1

a minimum value or a range of values for pH measured at each entry point to the distribution system;

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B) a minimum pH value, measured in all tap samples. Such value shall be equal to or greater than 7.0, unless the Agency determines that meeting a pH level of 7.0 is not technologically feasible or is not necessary for the supplier to optimize corrosion control;

C) if a corrosion inhibitor is used, a minimum concentration or a range of concentrations for the inhibitor, measured at each entry point to the distribution system and in all tap samples, that the Agency determines is necessary to form a passivating film on the interior walls of the pipes of the distribution system;

D) if alkalinity is adjusted as part of optimal corrosion control treatment, a minimum concentration or a range of concentrations for alkalinity, measured at each entry point to the distribution system and in all tap samples;

E) if calcium carbonate stabilization is used as part of corrosion control, a minimum concentration or a range of concentrations for calcium, measured in all tap samples.

2) The values for the applicable water quality control parameters listed in subsection (f)(1) above shall be those that the Agency determines reflect optimal corrosion control treatment for the supplier.

3) The Agency may, by a SEP issued pursuant to Section 611.110, approve values for additional water quality control parameters determined by the Agency to reflect optimal corrosion control for the supplier's system.

4) The Agency shall, in issuing a SEP, explain these determinations to the supplier, along with the basis for its decisions.

g) Continued Operation and Monitoring.

1) All suppliers shall maintain water quality parameter values at or above minimum values or within ranges approved by the Agency under subsection (f) above in each sample collected under Section 611.357(d).

2) If the water quality parameter value of any sample is below the minimum value or outside the range approved by the Agency, then the supplier is out of compliance with this subsection.

3) As specified in Section 611.357(d)(3), the supplier may take a confirmation sample for any water quality parameter value no later than 3 days after the first sample. If a confirmation sample is taken, the result must be averaged with the first sampling result, and the average must be used for any compliance determinations under this subsection. The Agency may delete results of obvious sampling errors.

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from this calculation.

h) Modification of Agency treatment decisions.

1) On its own initiative, or in response to a request by a supplier, the Agency may, by a SEP issued pursuant to this subsection and Section 611.110, modify its determination of the optimal corrosion control treatment under subsection (d) above or of the optimal water quality control parameters under subsection (f) above.

2) A request for modification must be in writing, explain why the modification is appropriate, and provide supporting documentation.

3) The Agency may modify its determination where it determines that such change is necessary to ensure that the supplier continues to optimize corrosion control treatment. A revised determination must set forth the new treatment requirements, explain the basis for the Agency's decision, and provide an implementation schedule for completing the treatment modifications.

4) Any interested person may submit information to the Agency bearing on whether the Agency should, within its discretion, issue a SEP to modify its determination pursuant to subsection (h)(1) above. An Agency determination not to act on a submission of such information by an interested person is not an Agency determination for the purposes of Sections 39 and 40 of the Act.

i) Treatment decisions by USEPA. Pursuant to the procedures in 40 CFR 142.19, the USEPA Regional Administrator has reserved the prerogative to review treatment determinations made by the Agency under subsections (d), (f), or (h) above and issue federal treatment determinations consistent with the requirements of 40 CFR 141.82(d), (e), or (h), where the Regional Administrator finds that:

1) the Agency has failed to issue a treatment determination by the applicable deadlines contained in Section 611.351 (40 CFR 141.81);

2) the Agency has abused its discretion in a substantial number of cases or in cases affecting a substantial population, or

3) the technical aspects of the Agency's determination would be indefensible in an expected federal enforcement action taken against a supplier.

BOARD NOTE: Derived from 40 CFR 141.82 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.353 Source Water Treatment

Suppliers shall complete the applicable source water monitoring and treatment requirements described in the referenced portions of subsection (b) below.

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and in Sections 611.356 and 611.358) by the following deadlines.

- a) Deadlines for Completing Source Water Treatment Steps
 - 1) Step 1: A supplier exceeding the lead action level or the copper action level shall complete lead and copper source water monitoring (Section 611.358(b)) and make a treatment recommendation to the Agency (subsection (b)(1) below) within 6 months after exceeding the pertinent action level.
 - 2) Step 2: The Agency shall, by a SEP issued pursuant to Section 611.110, make a determination regarding source water treatment (subsection (b)(2) below) within 6 months after submission of monitoring results under step 1.
 - 3) Step 3: If the Agency requires installation of source water treatment, the supplier shall install that treatment (subsection (b)(3) below) within 24 months after completion of step 2.
 - 4) Step 4: The supplier shall complete follow-up tap water monitoring (Section 611.356(d)(2)) and source water monitoring (Section 611.358(c)) within 36 months after completion of step 2.
 - 5) Step 5: The Agency shall, by a SEP issued pursuant to Section 611.110, review the supplier's installation and operation of source water treatment and specify MPCs for lead and copper (subsection (b)(4) below) within 6 months after completion of step 4.
 - 6) Step 6: The supplier shall operate in compliance with the Agency-specified lead and copper MPCs (subsection (b)(4) below) and continue source water monitoring (Section 611.358(d)).
- b) Description of Source Water Treatment Requirements
 - 1) The lead action level or the copper action level shall recommend in writing to the Agency the installation and operation of one of the source water treatments listed in subsection (b)(2) below. A supplier may recommend that no treatment be installed based on a demonstration that source water treatment is not necessary to minimize lead and copper levels at users' taps.
 - 2) Agency determination regarding source water treatment.
 - A) The Agency shall complete an evaluation of the results of all source water samples submitted by the supplier to determine whether source water treatment is necessary to minimize lead or copper levels in water delivered to users' taps.
 - B) If the Agency determines that treatment is needed, the Agency shall, by a SEP issued pursuant to Section 611.110, either require installation and operation of

the source water treatment recommended by the supplier (if any) or require the installation and operation of another source water treatment from among the following:

- i) ion exchange.
- ii) reverse osmosis.
- iii) lime softening, or
- iv) coagulation/filtration.
- C) The Agency may request and the supplier must submit such additional information, on or before a certain date, as the Agency determines is necessary to aid in its review.
- D) The Agency shall notify the supplier in writing of its determination and set forth the basis for its decision.
- 3) Installation of source water treatment. Each supplier shall properly install and operate the source water treatment approved by the Agency under subsection (b)(2) above.
- 4) Agency review of source water treatment and specification of maximum permissible source water levels (MPCs).
 - A) The Agency shall review the source water samples taken by the supplier both before and after the supplier installs source water treatment, and determine whether the supplier has properly installed and operated the approved source water treatment.
 - B) Based on its review, the Agency shall, by a SEP issued pursuant to Section 611.110, approve the lead and copper MPCs for finished water entering the supplier's distribution system. Such levels shall reflect the contaminant removal capability of the treatment properly operated and maintained.
 - C) The Agency shall explain the basis for its decision under subsection (b)(4)(B) above.
- 5) Continued operation and maintenance. Each supplier shall maintain lead and copper levels below the MPCs approved by the Agency at each sampling point monitored in accordance with Section 611.358. The supplier is out of compliance with this subsection if the level of lead or copper at any sampling point is greater than the MPC approved by the Agency pursuant to subsection (b)(4)(B) above.
- 6) Modification of Agency treatment decisions.
 - A) On its own initiative, or in response to a request by a supplier, the Agency may, by a SEP issued pursuant to Section 611.110, modify its determination of the

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source water treatment under subsection (b)(2) above, or the lead and copper MPCs under subsection (b)(4) above.

B) A request for modification by a supplier shall be in writing, explain why the modification is appropriate, and provide supporting documentation.

C) The Agency may, by a SEP issued pursuant to Section 611.110, modify its determination where it concludes that such change is necessary to ensure that the supplier continues to minimize lead and copper concentrations in source water.

D) A revised determination made pursuant to subsection (b)(6)(C) above shall set forth the new treatment requirements, explain the basis for the Agency's decision, and provide an implementation schedule for completing the treatment modifications.

E) Any interested person may submit information to the Agency, in writing, that bears on whether the Agency should, within its discretion, issue a SEP to modify its determination pursuant to subsection (b)(1) above. An Agency determination not to act on a submission of such information by an interested person is not an Agency determination for the purposes of Sections 39 and 40 of the Act.

7) Treatment decisions by USEPA. Pursuant to the procedures in 40 CFR 142.19, the USEPA Regional Administrator reserves the prerogative to review treatment determinations made by the Agency under subsections (b)(2), (b)(4), or (b)(6) above and issue federal treatment determinations consistent with the requirements of 40 CFR 141.83(b)(2), (b)(4), and (b)(6), where the Administrator finds that:

A) the Agency has failed to issue a treatment determination by the applicable deadlines contained in subsection (a) above.

B) the Agency has abused its discretion in a substantial number of cases or in cases affecting a substantial population, or

C) the technical aspects of the Agency's determination would be indefensible in an expected federal enforcement action taken against a supplier.

BOARD NOTE: Derived from 40 CFR 141.83 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.354 Lead Service Line Replacement

a) Suppliers required to replace lead service lines.

1) If the results from tap samples taken pursuant to Section

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611.356(d)(2) exceed the lead action level after the supplier has installed corrosion control or source water treatment (whichever sampling occurs later), the supplier shall recommence replacing lead service lines in accordance with the requirements of subsection (b) below.

2) If a supplier is in violation of Section 611.351 or Section 611.353 for failure to install source water or corrosion control treatment, the Agency may, by a SEP issued pursuant to Section 611.110, require the supplier to commence lead service line replacement under this Section after the date by which the supplier was required to conduct monitoring under Section 611.356(d)(2) has passed.

b) Annual replacement of lead service lines.

1) A supplier required to commence lead service line replacement pursuant to subsection (a) above shall annually replace at least 7 percent of the initial number of lead service lines in its distribution system.

2) The initial number of lead service lines is the number of lead lines in place at the time the replacement program begins.

3) The supplier shall identify the initial number of lead service lines in its distribution system based on a materials evaluation, including the evaluation required under Section 611.356(a).

4) The first year of lead service line replacement shall begin on the date the supplier exceeded the action level in tap sampling referenced in subsection (a) above.

c) Service lines not needing replacement. A supplier is not required to replace any individual lead service line for which the lead concentrations in all service line samples taken from that line pursuant to Section 611.356(b)(3) are less than or equal to 0.015 mg/L.

d) Replacement of service line.

1) A supplier required to replace a lead service line pursuant to subsection (a) above shall replace the entire service line (up to the building inlet) unless the Agency determines pursuant to subsection (e) below that the supplier controls less than the entire service line.

2) Replacement of less than the entire service line.

A) Where the Agency has determined that the supplier controls less than the entire service line, the supplier shall replace that portion of the line that the Agency determines is under the supplier's control.

B) The supplier that will replace less than the entire service line shall notify the user served by the line that the supplier will replace that portion of the

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service line under its control, and the supplier shall offer to replace the remaining portion of the service line that is under the building owner's control.

C1) The supplier required to replace less than the entire service line is not required to bear the cost of replacing any portion of the service line that is under the building owner's control.

D1) Offer to collect samples.

11) For buildings where only a portion of the lead service line is replaced, the supplier shall inform the resident(s) that the supplier will collect a first draw tap water sample after partial replacement of the service line is completed if the resident(s) so desire.

11) In cases where the resident(s) accept the offer, the supplier shall collect the sample and report the results to the resident(s) within 14 days following partial lead service line replacement.

e1) Control of entire service line.

11) A supplier is presumed to control the entire lead service line (up to the building inlet) unless the supplier demonstrates to the satisfaction of the Agency, in a letter submitted under Section 611.360(e)(4), that it does not have any of the following forms of control over the entire line (as defined by state statutes, municipal ordinances, public service contracts or other applicable legal authority):

A1) authority to set standards for construction, repair, or maintenance of the line;

B1) authority to replace, repair, or maintain the service line; or

C1) ownership of the service line.

21) Agency determinations.

A1) The Agency shall review the information provided by the supplier and determine the following:

11) whether the supplier controls less than the entire service line, and

11) where the supplier controls less than the entire service line, the Agency shall determine the extent of the supplier's control.

B1) The Agency shall make its determination of the extent of a supplier's control of a service line as a SEP pursuant to Section 611.110, and the Agency shall explain the basis for its determination.

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BOARD NOTE: See Section 611.360(e)(4) and the Board Note that follows.

f1) Agency determination of shorter replacement schedule.

11) The Agency shall, by a SEP issued pursuant to Section 611.110, require a supplier to replace lead service lines on a shorter schedule than that otherwise required by this Section if it determines, taking into account the number of lead service lines in the system, that such a shorter replacement schedule is feasible.

21) The Agency shall notify the supplier of its finding pursuant to subsection (f)(1) above within 6 months after the supplier is triggered into lead service line replacement based on monitoring, as referenced in subsection (a) above.

g1) Cessation of service line replacement.

11) Any supplier may cease replacing lead service lines whenever it fulfills both of the following conditions:

A1) first draw tap samples collected pursuant to Section 611.356(b)(2) meet the lead action level during each of two consecutive six-month monitoring periods and

B1) the supplier has submitted those results to the Agency.

21) If any of the supplier's first draw tap samples thereafter exceed the lead action level, the supplier shall recommence replacing lead service lines pursuant to subsection (b) above.

h1) To demonstrate compliance with subsections (a) through (d) above, a supplier shall report to the Agency the information specified in Section 611.360(e).

BOARD NOTE: Derived from 40 CFR 141.84 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.355 Public Education and Supplemental Monitoring

A supplier that exceeds the lead action level based on tap water samples collected in accordance with Section 611.356 shall deliver the public education materials required by subsections (a) and (b) below in accordance with the requirements of subsection (c) below.

a1) Content of written materials. A supplier shall include the text set forth in Section 611.355 Appendix E in all of the printed materials it distributes through its lead public education program. Any additional information presented by a supplier shall be consistent with the information in Section 611.355 Appendix E and be in plain English that can be understood by laypersons.

b1) Content of broadcast materials. A supplier shall include the following information in all public service announcements:

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submitted under its lead public education program to television and radio stations for broadcast:

1) Why should everyone want to know the facts about lead and drinking water? Because unhealthy amounts of lead can enter drinking water through the plumbing in your home. That's why I urge you to do what I did. I had my water tested for lead free or \$ per sample. You can contact the insert the name of the city or supplier for information on testing and on simple ways to reduce your exposure to lead in drinking water.

2) To have your water tested for lead, or to get more information about this public health concern, please call [insert the phone number of the city or supplier].

c) Delivery of a public education program.

1) In communities where a significant proportion of the population speaks a language other than English, public education materials shall be communicated in the appropriate language(s).

2) A CWS supplier that exceeds the lead action level on the basis of tap water samples collected in accordance with Section 611.356 shall, within 60 days do each of the following:

A) Insert notices in each customer's water utility bill or disseminate to each customer by separately mailing a notice containing the information required by subsection (a) above, along with the following alert in large print on the water bill itself: "SOME HOMES IN THIS COMMUNITY HAVE ELEVATED LEAD LEVELS IN THEIR DRINKING WATER. LEAD CAN POSE A SIGNIFICANT RISK TO YOUR HEALTH. PLEASE READ THE ENCLOSED NOTICE FOR FURTHER INFORMATION."

B) Submit the information required by subsection (a) above to the editorial departments of the major daily and weekly newspapers circulated throughout the community.

C) Deliver pamphlets or brochures that contain the public education materials in subsections (a)(2) and (a)(4) above to facilities and organizations, including the following:

- i) public schools or local school boards;
- ii) the city or county health department;
- iii) Women, Infants, and Children (WIC) and Head Start program(s), whenever available;
- iv) public and private hospitals and clinics;
- v) pediatricians;

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- vi) family planning clinics; and
- vii) local welfare agencies; and

D) Submit the public service announcement in subsection (b) above to at least five of the radio and television stations with the largest audiences within the community served by the supplier.

3) A CWS supplier shall repeat the tasks contained in subsections (c)(2)(A) through (c)(2)(D) above for as long as the supplier exceeds the lead action level, at the following minimum frequency:

A) those of subsections (c)(2)(A) through (c)(2)(C) above: every 12 months, and

B) those of subsection (c)(2)(D) above every 6 months.

4) Within 60 days after it exceeds the lead action level, a NTNCWS supplier shall deliver the public education materials contained in Section 611.356 Appendix E(1), (2), and (4) as follows:

A) Post informational posters on lead in drinking water in a public place or common area in each of the buildings served by the supplier; and

B) distribute informational pamphlets or brochures on lead in drinking water to each person served by the NTNCWS supplier.

5) A NTNCWS supplier shall repeat the tasks contained in subsection (c)(4) above at least once during each calendar year in which the supplier exceeds the lead action level.

6) A supplier may discontinue delivery of public education materials after it has met the lead action level during the most recent six-month monitoring period conducted pursuant to Section 611.356. Such a supplier shall begin public education anew in accordance with this Section if it subsequently exceeds the lead action level during any six-month monitoring period.

d) Supplemental monitoring and notification of results. A supplier that fails to meet the lead action level on the basis of tap samples collected in accordance with Section 611.356 shall offer to sample the tap water of any customer who requests it. The supplier is not required to pay for collecting or analyzing the sample, nor is the supplier required to collect and analyze the sample itself.

BOARD NOTE: Derived from 40 CFR 141.85 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.356 Tap Water Monitoring for Lead and Copper

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A1 Sample site location.**11 Selecting a pool of targeted sampling sites.**

A1 By the applicable date for commencement of monitoring under subsection (d)(1) below, each supplier shall complete a materials evaluation of its distribution system in order to identify a pool of targeted sampling sites that meets the requirements of this Section.

B1 The pool of targeted sampling sites must be sufficiently large to ensure that the supplier can collect the number of lead and copper tap samples required by subsection (c) below.

C1 The supplier shall select the sites for collection of first draw samples from this pool of targeted sampling sites.

D1 The supplier shall not select as sampling sites any faucets that have point-of-use or point-of-entry treatment devices designed to remove or capable of removing inorganic contaminants.

21 Materials evaluation.

A1 A supplier shall use the information on lead, copper, and galvanized steel collected pursuant to 40 CFR 141.42(d) (special monitoring for corrosivity characteristics) when conducting a materials evaluation.

B1 When an evaluation of the information collected pursuant to 40 CFR 141.42(d) is insufficient to locate the requisite number of lead and copper sampling sites that meet the targeting criteria in subsection (a) above, the supplier shall review the following sources of information in order to identify a sufficient number of sampling sites:

- i1** all plumbing codes, permits, and records in the files of the building department(s) that indicate the plumbing materials that are installed within publicly- and privately-owned structures connected to the distribution system;
- ii1** all inspections and records of the distribution system that indicate the material composition of the service connections which connect a structure to the distribution system;
- iii1** all existing water quality information, which includes the results of all prior analyses of the system or individual structures connected to the system, indicating locations that may be particularly susceptible to high lead or copper concentrations; and

- iv1** the supplier shall seek to collect such information where possible in the course of its normal operations (e.g., checking service line materials when reading water meters or performing maintenance activities).

31 Tiers of sampling sites. Suppliers shall categorize the sampling sites within their pool according to the following tiers:

- A1** CWS Tier 1 sampling sites. "CWS Tier 1 sampling sites" shall include the following single-family structures:
 - i1** those that contain copper pipes with lead solder installed after 1982 or which contain lead pipes; or
 - ii1** those that are served by a lead service line.

BOARD NOTE: This allows the pool of CWS tier 1 sampling sites to consist exclusively of structures served by lead service lines.

- B1** CWS Tier 2 sampling sites. "CWS Tier 2 sampling sites" shall include the following buildings, including multiple-family structures:

- i1** those that contain copper pipes with lead solder installed after 1982 or contain lead pipes; or
- ii1** those that are served by a lead service line.

BOARD NOTE: This allows the pool of CWS tier 2 sampling sites to consist exclusively of structures served by lead service lines.

- C1** CWS Tier 3 sampling sites. "CWS Tier 3 sampling sites" shall include the following single-family structures: those that contain copper pipes with lead solder installed before 1983.

- D1** NTNCWS Tier 1 sampling sites. "NTNCWS Tier 1 sampling sites" shall include the following buildings:

- i1** those that contain copper pipes with lead solder installed after 1982 or which contain lead pipes; or
- ii1** those that are served by a lead service line.

BOARD NOTE: This allows the pool of NTNCWS tier 1 sampling sites to consist exclusively of buildings served by lead service lines.

- E1** Alternative NTNCWS sampling sites. "Alternative NTNCWS sampling sites" shall include the following buildings: those that contain copper pipes with lead

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solder installed before 1983.

- 4) Selection of sampling sites. Suppliers shall select sampling sites for their sampling pool as follows:

A) CWS suppliers. CWS suppliers shall use CWS tier 1 sampling sites, except that the supplier may include CWS tier 2 or CWS tier 3 sampling sites in its sampling pool as follows:

i) If multiple-family residences comprise at least 20 percent of the structures served by a supplier, the supplier may use CWS tier 2 sampling sites in its sampling pool; or

ii) If the CWS supplier has an insufficient number of CWS tier 1 sampling sites on its distribution system, the supplier may use CWS tier 2 sampling sites in its sampling pool; or

iii) If fewer than 20 percent of the structures served by the supplier are multiple-family residences, and the CWS supplier has an insufficient number of CWS tier 1 and CWS tier 2 sampling sites on its distribution system, the supplier may complete its sampling pool with CWS tier 3 sampling sites.

iv) If the supplier has an insufficient number of CWS tier 1 sampling sites, CWS tier 2 sampling sites, and CWS tier 3 sampling sites, the supplier shall use those CWS tier 1 sampling sites, CWS tier 2 sampling sites, and CWS tier 3 sampling sites that it has, and the supplier shall randomly select an additional pool of representative sites on its distribution system for the balance of its sampling sites.

B) NTNCWS suppliers.

i) An NTNCWS supplier shall select NTNCWS tier 1 sampling sites for its sampling pool, except if the NTNCWS supplier has an insufficient number of NTNCWS tier 1 sampling sites, the supplier may complete its sampling pool with alternative NTNCWS sampling sites.

ii) If the NTNCWS supplier has an insufficient number of NTNCWS tier 1 sampling sites and NTNCWS alternative sampling sites, the supplier shall use those NTNCWS tier 1 sampling sites and NTNCWS alternative sampling sites that it has, and the supplier shall randomly select an additional pool of representative sites on its distribution system for the balance of its sampling sites.

C) Agency submission by suppliers with an insufficient

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number of CWS or NTNCWS tier 1 sampling sites.

i) Any CWS or NTNCWS supplier whose sampling pool does not include a sufficient number of sites to consist exclusively of CWS tier 1 sampling sites or NTNCWS tier 1 sampling sites, as appropriate, shall submit a letter to the Agency under Section 611.360(a)(2) that demonstrates why a review of the information listed in subsection (a)(2) above was inadequate to locate a sufficient number of CWS tier 1 sampling sites or NTNCWS tier 1 sampling sites.

ii) Any CWS supplier that wants to include CWS tier 3 sampling sites in its sampling pool shall demonstrate in a letter to the Agency why it was unable to locate a sufficient number of CWS tier 1 sampling sites and CWS tier 2 sampling sites.

iii) If the Agency determines, based on the information submitted pursuant to subsection (a)(4)(C)(i) or (a)(4)(C)(ii) above, that either the information was inadequate to locate a sufficient number of CWS tier 1 sampling sites or NTNCWS tier 1 sampling sites, or that the supplier was unable to locate a sufficient number of CWS tier 1 sampling sites and CWS tier 2 sampling sites, the Agency shall issue a SEP to the supplier pursuant to Section 611.110 that allows it to use CWS tier 2 sampling sites, NTNCWS tier 2 sampling sites, or CWS tier 3 sampling sites, as appropriate.

D)

Suppliers with lead service lines. Any supplier whose distribution system contains lead service lines shall draw samples during each six-month monitoring period from sampling sites as follows:

i) 50 percent of the samples from sampling sites that contain lead pipes or from sampling sites that have copper pipes with lead solder, and

ii) 50 percent of those samples from sites served by a lead service line.

iii) A supplier that cannot identify a sufficient number of sampling sites served by a lead service line shall demonstrate in a letter to the Agency under Section 611.360(a)(4) that it was unable to locate a sufficient number of such sites.

iv) If the Agency determines, based on the information submitted pursuant to subsection (a)(4)(D)(iii) above, that a supplier that cannot identify a sufficient number of sampling sites served by a lead service line, the Agency shall issue a SEP to the supplier pursuant to

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Section 611.110 that allows it to collect first draw samples from all of the sites on its distribution system identified as being served by such lines.

BOARD NOTE: This allows the pool of sampling sites to consist exclusively of structures or buildings served by lead service lines.

b) Sample collection methods.

- 1) All tap samples for lead and copper collected in accordance with this Subpart, with the exception of lead service line samples collected under Section 611.354(c), shall be first draw samples.

2) First-draw tap samples.

- A) Each first-draw tap sample for lead and copper shall be one liter in volume and have stood motionless in the plumbing system of each sampling site for at least six hours.
- B) First draw samples from residential housing shall be collected from the cold water kitchen tap or bathroom sink tap.
- C) First-draw samples from a non-residential building shall be collected at an interior tap from which water is typically drawn for consumption.

- D) First draw samples may be collected by the supplier or the supplier may allow residents to collect first draw samples after instructing the residents of the sampling procedures specified in this subsection.

- i) To avoid problems of residents handling nitric acid, acidification of first draw samples may be done up to 14 days after the sample is collected.

- ii) If the first draw sample is not acidified immediately after collection, then the sample must stand in the original container for at least 28 hours after acidification.

- E) If a supplier allows residents to perform sampling under subsection (b)(2)(D) above, the supplier may not challenge the accuracy of sampling results based on alleged errors in sample collection.

3) Service line samples.

- A) Each service line sample shall be one liter in volume and have stood motionless in the lead service line for at least six hours.
- B) Lead service line samples shall be collected in one of

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the following three ways:

- i) at the tap after flushing that volume of water calculated as being between the tap and the lead service line based on the interior diameter and length of the pipe between the tap and the lead service line;
- ii) tapping directly into the lead service line; or
- iii) if the sampling site is a single-family structure, allowing the water to run until there is a significant change in temperature that would be indicative of water that has been standing in the lead service line.

4) Follow-up first draw tap samples.

- A) A supplier shall collect each follow-up first draw tap sample from the same sampling site from which it collected the previous sample(s).
- B) If, for any reason, the supplier cannot gain entry to a sampling site in order to collect a follow-up tap sample, the supplier may collect the follow-up tap sample from another sampling site in its sampling pool, as long as the new site meets the same targeting criteria and is within reasonable proximity of the original site.

c) Number of samples

- 1) Suppliers shall collect at least one sample from the number of sites listed in the first column of Section 611.110 (labelled "standard monitoring") during each six-month monitoring period specified in subsection (d) below.
- 2) A supplier conducting reduced monitoring pursuant to subsection (d)(4) below may collect one sample from the number of sites specified in the second column of Section 611.110 (labelled "reduced monitoring") during each reduced monitoring period specified in subsection (d)(4) below.

d) Timing of monitoring

- 1) Initial tap sampling.

The first six-month monitoring period for small, medium-sized and large system suppliers shall begin on the dates specified in Section 611.110 Table F.

- A) All large system suppliers shall monitor during each of two consecutive six-month periods.
- B) All small and medium-sized system suppliers shall monitor during each consecutive six-month monitoring period until:

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- i) the supplier exceeds the lead action level or the copper action level and is therefore required to implement the corrosion control treatment requirements under Section 611.351, in which case the supplier shall continue monitoring in accordance with subsection (d)(2) below, or
 - ii) the supplier meets the lead action level and the copper action level during each of two consecutive six-month monitoring periods, in which case the supplier may reduce monitoring in accordance with subsection (d)(4) below.
- 2) Monitoring after installation of corrosion control and source water treatment.
- A) Any large system supplier that installs optimal corrosion control treatment pursuant to Section 611.351(d)(4) shall monitor during each of two consecutive six-month monitoring periods before the date specified in Section 611.351(d)(5).
 - B) Any small or medium-sized system supplier that installs optimal corrosion control treatment pursuant to Section 611.351(e)(5) shall monitor during each of two consecutive six-month monitoring periods before the date specified in Section 611.351(e)(6).
 - C) Any supplier that installs source water treatment pursuant to Section 611.353(a)(3) shall monitor during each of two consecutive six-month monitoring periods before the date specified in Section 611.353(a)(4).
- 3) Monitoring after the Agency specification of water quality parameter values for optimal corrosion control.
- After the Agency specifies the values for water quality control parameters pursuant to Section 611.352(f), the supplier shall monitor during each subsequent six-month monitoring period, with the first six-month monitoring period to begin on the date the Agency specifies the optimal values.
- 4) Reduced monitoring.
- A) Reduction to annual for small and medium-sized system suppliers meeting the lead and copper action levels. A small or medium-sized system supplier that meets the lead and copper action levels during each of two consecutive six-month monitoring periods may reduce the number of samples in accordance with subsection (c) above, and reduce the frequency of sampling to once per year.
 - B) SEP allowing reduction to annual for suppliers maintaining water quality control parameters.

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- i) The Agency shall, by a SEP granted pursuant to Section 611.110, allow any supplier to reduce the frequency of monitoring to annual and the number of lead and copper samples to that specified by subsection (c) above if it determines that a supplier has, during each of two consecutive six-month monitoring periods, maintained the range of values for the water quality control parameters specified pursuant to Section 611.352(f) as reflecting optimal corrosion control treatment.
 - ii) Any supplier may request a SEP if it concurrently provides the Agency with the information necessary to support a determination under subsection (d)(4)(B)(i) above.
 - iii) The Agency shall set forth the basis for its determination under subsection (d)(4)(B)(i) above.
 - iv) The Agency shall, by a SEP issued pursuant to Section 611.110, review, and where appropriate, revise its subsection (d)(4)(B)(i) above determination when the supplier submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available to the Agency.
- C) Reduction to triennial for small and medium-sized system suppliers.
- i) Small and medium-sized system suppliers meeting lead and copper action levels. A small or medium-sized system supplier that meets the lead and copper action levels during three consecutive years of monitoring may reduce the frequency of monitoring for lead and copper from annually to once every three years.
 - ii) SEP for suppliers meeting optimal corrosion control treatment. The Agency shall, by a SEP granted pursuant to Section 611.110, allow a supplier to reduce its monitoring frequency from annual to triennial if it determines that the supplier, during each of three consecutive years of monitoring, has maintained the range of values for the water quality control parameters specified as representing optimal corrosion control treatment pursuant to Section 611.352(f). Any supplier may request a SEP if it concurrently provides the Agency with the information necessary to support a determination under this subsection. The Agency shall set forth the basis for its determination. The Agency shall, by a SEP issued pursuant to Section 611.110, review, and where appropriate, revise its determination when the supplier

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submits new monitoring or treatment data, or when other data relevant to the number and frequency of tap sampling becomes available to the Agency.

- D) Sampling at a reduced frequency. A supplier that reduces the number and frequency of sampling shall collect these samples from sites included in the pool of targeted sampling sites identified in subsection (a) above, preferentially selecting those sampling sites from the highest tier first. Suppliers sampling annually or less frequently shall conduct the lead and copper tap sampling during the months of June, July, August, or September.

E) Resumption of standard monitoring.

- i) Small or medium-sized suppliers exceeding lead or copper action level. A small or medium-sized system supplier subject to reduced monitoring that exceeds the lead action level or the copper action level shall resume sampling in accordance with subsection (d)(3) above and collect the number of samples specified for standard monitoring under subsection (c) above. Such a supplier shall also conduct water quality parameter monitoring in accordance with Section 611.357 (b), (c), or (d) (as appropriate) during the six-month monitoring period in which it exceeded the action level.

- ii) Suppliers failing to operate within water quality control parameters. Any supplier subject to reduced monitoring frequency that fails to operate within the range of values for the water quality control parameters specified pursuant to Section 611.352(f) shall resume tap water sampling in accordance with subsection (d)(3) above and collect the number of samples specified for standard monitoring under subsection (c) above.

- e) Additional monitoring. The results of any monitoring conducted in addition to the minimum requirements of this section shall be considered by the supplier and the Agency in making any determinations (i.e., calculating the 90th percentile lead action level or the copper level) under this Subpart.

BOARD NOTE: Derived from 40 CFR 141.86 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.357 Monitoring for Water Quality Parameters

All large system suppliers, and all small and medium-sized system suppliers that exceed the lead action level or the copper action level, shall monitor water quality parameters in addition to lead and copper in accordance with this Section. The requirements of this Section are summarized in Section

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611.357 Table G.

a) General Requirements

1) Sample collection methods

- A) Use of tap samples. The totality of all tap samples collected by a supplier shall be representative of water quality throughout the distribution system taking into account the number of persons served, the different sources of water, the different treatment methods employed by the supplier, and seasonal variability. Although a supplier may conveniently conduct tap sampling for water quality parameters at sites used for coliform sampling performed pursuant to Subpart L of this Part, it is not required to do so, and a supplier is not required to perform tap sampling pursuant to this Section at taps targeted for lead and copper sampling under Section 611.356(a).

- B) Use of entry point samples. Each supplier shall collect samples at entry point(s) to the distribution system from locations representative of each source after treatment. If a supplier draws water from more than one source and the sources are combined before distribution, the supplier must sample at an entry point to the distribution system during periods of normal operating conditions (i.e., when water is representative of all sources being used).

2) Number of samples

- A) Tap samples. Each supplier shall collect two tap samples for applicable water quality parameters during each six-month monitoring period specified under subsections (b) through (e) below from the number of sites indicated in the first column of Section 611.357 Table E.

B) Entry point samples.

- i) Initial monitoring. Each supplier shall collect two samples for each applicable water quality parameter at each entry point to the distribution system during each six-month monitoring period specified in subsection (b) below.

- ii) Subsequent monitoring. Each supplier shall collect one sample for each applicable water quality parameter at each entry point to the distribution system during each six-month monitoring period specified in subsections (c) through (e) below.

b) Initial Sampling.

- 1) Large systems. Each large system supplier shall measure the

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applicable water quality parameters specified in subsection (b)(3) below at taps and at each entry point to the distribution system during each six-month monitoring period specified in Section 611.356(d)(1).

- 2) Small and medium-sized systems. Each small and medium-sized system supplier shall measure the applicable water quality parameters specified in subsection (b)(3) below at the locations specified in this subsection during each six-month monitoring period specified in Section 611.356(d)(1) during which the supplier exceeds the lead action level or the copper action level.

3) Water quality parameters:

- A) pH;
- B) alkalinity;
- C) orthophosphate, when an inhibitor containing a phosphate compound is used;
- D) silica, when an inhibitor containing a silicate compound is used;
- E) calcium;
- F) conductivity; and
- G) water temperature.

c) Monitoring after installation of corrosion control.

- 1) Large systems. Each large system supplier that installs optimal corrosion control treatment pursuant to Section 611.351(d)(4) shall measure the water quality parameters at the locations and frequencies specified in subsections (c)(3) and (c)(4) below during each six-month monitoring period specified in Section 611.356(d)(2)(ii) in which the supplier exceeds the lead action level or the copper action level.

- 2) Small and medium-sized systems. Each small or medium-sized system that installs optimal corrosion control treatment pursuant to Section 611.351(e)(5) shall measure the water quality parameters at the locations and frequencies specified in subsections (c)(3) and (c)(4) below during each six-month monitoring period specified in Section 611.356(d)(2)(ii) in which the supplier exceeds the lead action level or the copper action level.

- 3) Tap water samples, two samples at each tap for each of the following water quality parameters:

- A) pH;
- B) alkalinity;
- C) orthophosphate, when an inhibitor containing a phosphate compound is used;

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- D) silica, when an inhibitor containing a silicate compound is used; and
- E) calcium, when calcium carbonate stabilization is used as part of corrosion control.

- 4) Entry point samples, one sample at each entry point to the distribution system every two weeks (bi-weekly) for each of the following water quality parameters:

- A) pH;
- B) when alkalinity is adjusted as part of optimal corrosion control, a reading of the dosage rate of the chemical used to adjust alkalinity, and the alkalinity concentration; and
- C) when a corrosion inhibitor is used as part of optimal corrosion control, a reading of the dosage rate of the inhibitor used, and the concentration of orthophosphate or silica (whichever is applicable).

- d) Monitoring after the Agency specifies water quality parameter values for optimal corrosion control.

- 1) Large systems. After the Agency has specified the values for applicable water quality control parameters reflecting optimal corrosion control treatment pursuant to Section 611.352(f), each large system supplier shall measure the applicable water quality parameters in accordance with subsection (c) above during each six-month monitoring period specified in Section 611.356(d)(3).

- 2) Small and medium-sized systems. Each small or medium-sized system supplier shall conduct such monitoring during each six-month monitoring period specified in Section 611.356(d)(3) in which the supplier exceeds the lead action level or the copper action level.

- 3) Confirmation sampling.

- A) A supplier may take a confirmation sample for any water quality parameter value no later than 3 days after it took the original sample it seeks to confirm.
- B) If a supplier takes a confirmation sample, it must average the result obtained from the confirmation sample with the result obtained from the original sample it seeks to confirm, and the supplier shall use the average of these two results for any compliance determinations under Section 611.352(g).

- C) The Agency shall delete the results that it determines are due to obvious sampling errors from this calculation.

- e) Reduced monitoring.

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1) Reduction in tap monitoring. A supplier that has maintained the range of values for the water quality parameters reflecting optimal corrosion control treatment during each of two consecutive six-month monitoring periods under subsection (d) above shall continue monitoring at the entry point(s) to the distribution system as specified in subsection (c)(4) above. Such a supplier may collect two samples from each tap for applicable water quality parameters from the reduced number of sites indicated in the second column of Section 611.352(f) during each subsequent six-month monitoring period.

2) Reduction in monitoring frequency.

A) Stages of reductions.

i) Annual monitoring. A supplier that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified pursuant to Section 611.352(f) during three consecutive years of monitoring may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in subsection (e)(1) above from every six months to annually.

ii) Triennial monitoring. A supplier that maintains the range of values for the water quality parameters reflecting optimal corrosion control treatment specified pursuant to Section 611.352(f) during three consecutive years of annual monitoring under subsection (e)(2)(A)(i) above may reduce the frequency with which it collects the number of tap samples for applicable water quality parameters specified in subsection (e)(1) above from annually to once every three years.

B) A supplier that conducts sampling annually or every three years shall collect these samples evenly throughout the calendar year so as to reflect seasonal variability.

C) Any supplier subject to a reduced monitoring frequency pursuant to this subsection that fails to operate within the range of values for the water quality parameters specified pursuant to Section 611.352(f) shall resume tap water sampling in accordance with the number and frequency requirements of subsection (d) above.

f) Additional monitoring by systems. The results of any monitoring conducted in addition to the minimum requirements of this section shall be considered by the supplier and the Agency in making any determinations (i.e., determining concentrations of water quality parameters) under this Section or Section 611.352.

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BOARD NOTE: Derived from 40 CFR 141.87 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.358 Monitoring for Lead and Copper in Source Water

a) Sample location, collection methods, and number of samples

1) A supplier that fails to meet the lead action level or the copper action level on the basis of tap samples collected in accordance with Section 611.356 shall collect lead and copper source water samples in accordance with the sample location, number of samples, and collection method requirements of Section 611.601(a) and (b) (as specified for inorganic chemical contaminants). The timing of sampling for lead and copper shall be in accordance with subsections (b) and (c) below, and not with the dates specified in Section 611.601(a)(1).

2) SEP requiring an additional sample

A) When the Agency determines that the results of sampling indicate an exceedance of the lead or copper MPC established under Section 611.353(b)(4), it shall, by a SEP issued pursuant to Section 611.110, require the supplier to collect one additional sample as soon as possible after the initial sample at the same sampling point, but no later than two weeks after the supplier took the initial sample.

B) If a supplier takes an Agency-required confirmation sample for lead or copper, the supplier shall average the results obtained from the initial sample with the results obtained from the confirmation sample in determining compliance with the Agency-specified lead and copper MPCs.

i) Any analytical result below the MDL shall be considered as zero for the purposes of averaging.

ii) Any value above the MDL but below the POL shall either be considered as the measured value or be considered one-half the POL.

b) Monitoring frequency after system exceeds tap water action level. A supplier that exceeds the lead action level or the copper action level in tap sampling shall collect one source water sample from each entry point to the distribution system within six months after the exceedance.

c) Monitoring frequency after installation of source water treatment. A supplier that installs source water treatment pursuant to Section 611.353(a)(3) shall collect an additional source water sample from each entry point to the distribution system during each of two consecutive six-month monitoring periods on or before the deadline specified in Section 611.353(a)(4).

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d) Monitoring frequency after the Agency has specified the lead and copper MPCs or has determined that source water treatment is not needed.

- 1) A supplier shall monitor at the frequency specified by subsection (d)(1)(A) or (d)(1)(B) below where the Agency has specified the MPCs pursuant to Section 611.353(b)(4) or has determined that the supplier is not required to install source water treatment pursuant to Section 611.353(b)(2).

A) GWS suppliers.

- i) A GWS supplier required to sample by subsection (d)(1) above shall collect samples once during the three-year compliance period (as that term is defined in Section 611.101) during which the Agency makes its determination pursuant to Section 611.353(b)(4) or 611.353(b)(2).
- ii) A GWS supplier required to sample by subsection (d)(1) above shall collect samples once during each subsequent compliance period.

B) A SWS or mixed system supplier shall collect samples annually, the first annual monitoring period to begin on the date on which the Agency makes its determination pursuant to Section 611.353(b)(4) or 611.353(b)(2).

- 2) A supplier is not required to conduct source water sampling for lead or copper if the supplier meets the action level for the specific contaminant in all tap water samples collected during the entire source water sampling period applicable under subsection (d)(1)(A) or (d)(1)(B) above.

e) Reduced monitoring frequency.

- 1) A GWS supplier that demonstrates that finished drinking water entering the distribution system has been maintained below the lead or copper MPC specified by the Agency pursuant to Section 611.353(b)(4) during at least three consecutive compliance periods under subsection (d)(1) above may reduce the monitoring frequency for lead or copper, as appropriate, to once during each nine-year compliance cycle (as that term is defined in Section 611.101).

2) A SWS or mixed system supplier that demonstrates that finished drinking water entering the distribution system has been maintained below the lead and copper MPCs specified by the Agency pursuant to Section 611.353(b)(4) for at least three consecutive years under subsection (d)(1) above may reduce the monitoring frequency to once during each nine-year compliance cycle (as that term is defined in Section 611.101).

- 3) A supplier that uses a new source of water is not eligible for reduced monitoring for lead or copper until it demonstrates by samples collected from the new source during

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three consecutive monitoring periods, of the appropriate duration provided by subsection (d)(1) above, that lead or copper concentrations are below the MPC as specified by the Agency pursuant to Section 611.353(a)(4).

BOARD NOTE: Derived from 40 CFR 141.88 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.359 Analytical Methods

a) Analyses for lead, copper, pH, conductivity, calcium, alkalinity, orthophosphate, silica, and temperature shall be conducted using the methods set forth in subsection (b) below.

- 1) Analyses performed for the purposes of compliance with this Subpart shall only be conducted by laboratories that have been certified by USEPA or the Agency. To obtain certification to conduct analyses for lead and copper, laboratories must:

A) Analyze performance evaluation samples that include lead and copper provided by USEPA Environmental Monitoring and Support Laboratory or equivalent samples provided by the Agency; and

B) Achieve quantitative acceptance limits as follows:

- i) Lead: ± 30 percent of the actual amount in the performance evaluation sample when the actual amount is greater than or equal to 0.005 mg/L, and

- ii) Copper: ± 10 percent of the actual amount in the performance evaluation sample when the actual amount is greater than or equal to 0.050 mg/L.

iii) Achieve the method detection limits (MDLs) defined in Section 611.350(a) according to the procedures in 35 Ill. Adm. Code 183 and 40 CFR 136, Appendix B: "Definition and Procedure for the Determination of the Method Detection Limit--Revision 1.11"; and

iv) Be currently certified by USEPA or the Agency to perform analyses to the specifications described in subsection (a)(2) below.

2) The Agency shall, by a SEP issued pursuant to Section 611.110, allow a supplier to use previously collected monitoring data for the purposes of monitoring under this Subpart if the data were collected and analyzed in accordance with the requirements of this Subpart.

3) Reporting lead levels.

- A) All lead levels greater than or equal to the lead PQL ($Pb \geq 0.005$ mg/L) must be reported as measured.

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- B) All lead levels measured less than the PQL and greater than the MDL (0.005 mg/L > Pb > MDL) must be either reported as measured or as one-half the PQL (0.0025 mg/L).
- C) All lead levels below the lead MDL (MDL > Pb) must be reported as zero.
- 4) Reporting copper levels.
- A) All copper levels greater than or equal to the copper PQL (Cu ≥ 0.05 mg/L) must be reported as measured.
- B) All copper levels measured less than the PQL and greater than the MDL (0.05 mg/L > Cu > MDL) must be either reported as measured or as one-half the PQL (0.025 mg/L).
- C) All copper levels below the copper MDL (MDL > Cu) must be reported as zero.

b) Analytical methods.

1) Lead

A) Atomic absorption, furnace technique:

- i) USEPA Inorganic Methods: Method 239.2.
- ii) ASTM Methods: Method D3559-85D, or
- iii) Standard Methods: Method 3113;
- B) Inductively-coupled plasma, mass spectrometry: ICP-MS Method 200.8; or
- C) Atomic absorption, platform furnace technique: AA-Platform Furnace Method 200.9.

D) For analyzing lead and copper, the technique applicable to total metals must be used and samples cannot be filtered. Samples that contain less than 1 NTU and which are properly preserved (concentrated nitric acid to pH less than 2) may be analyzed directly (without digestion) for total metals; otherwise digestion is required. Turbidity must be measured on the preserved samples just prior to when metal analysis is initiated. When digestion is required, the "total recoverable" technique, as defined in the method, must be used.

2) Copper

A) Atomic absorption, furnace technique:

- i) USEPA Inorganic Methods: Method 220.2.
- ii) ASTM Methods: Method D1688-90C, or

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- iii) Standard Methods: Method 3113;
- B) Atomic absorption, direct aspiration:
- i) USEPA Inorganic Methods: Method 220.1.
- ii) ASTM Methods: Method D1688-90A, or
- iii) Standard Methods: Method 3111-B;
- C) Inductively-coupled plasma:
- i) ICP Method 200.7, Rev. 3.2, or
- ii) Standard Methods: Method 3120;
- D) Inductively-coupled plasma; mass spectrometry: ICP-MS Method 200.8; or
- E) Atomic absorption; platform furnace technique: AA-Platform Furnace Method 200.9.
- F) Subsection (b)(1)(D) above applies to analyses for copper.
- 3) pH: Electrometric:
- A) USEPA Inorganic Methods: Method 150.1 or 150.2.
- B) ASTM Methods: Method D1293-84B, or
- C) Standard Methods: Method 4500-H⁺.
- 4) Conductivity: Conductance:
- A) USEPA Inorganic Methods: Method 120.1.
- B) ASTM Methods: Method D1125-82B, or
- C) Standard Methods: Method 2510.
- 5) Calcium:
- A) EDTA titrimetric:
- i) USEPA Inorganic Methods: Method 215.2.
- ii) ASTM Methods: Method D511-88A, or
- iii) Standard Methods: Method 3500-Ca D;
- B) Atomic absorption; direct aspiration:
- i) USEPA Inorganic Methods: Method 215.1.
- ii) ASTM Methods: Method D511-88B, or
- iii) Standard Methods: Method 3111-B; or

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C1 Inductively-coupled plasma:

- i1 ICP Method 200.7, Rev. 3.2, or
- ii1 Standard Methods: Method 3120.

61 Alkalinity:

A1 Titrimetric:

- i1 USEPA Inorganic Methods: Method 310.1.
- ii1 ASTM Methods: Method D1067-888, or
- iii1 Standard Methods: Method 2320; or

B1 Electrometric titration: USGS Methods: Method I-1030-85.

71 Orthophosphate:

A1 Unfiltered, no digestion or hydrolysis: USEPA Inorganic Methods: Method 365.1.

B1 Colorimetric, automated, ascorbic acid: Standard Methods: Method 4500-P.F.

C1 Colorimetric, ascorbic acid, two reagent:

- i1 USEPA Inorganic Methods: Method 365.3, or
- ii1 Standard Methods: Method 4500-P.E.

D1 Colorimetric, ascorbic acid, single reagent:

- i1 USEPA Inorganic Methods: Method 365.2, or
- ii1 ASTM Methods: Method D515-88A;

E1 Colorimetric, phosphomolybdate, automated-segmented flow or automated discrete: USGS Methods: Methods I-1601-85, I-2601-85, or I-2598-85.

F1 Ion Chromatography:

- i1 Ion Chromatography Method 300.0.
- ii1 ASTM Methods: Method D4327-88, or
- iii1 Standard Methods: Method 4110.

81 Silica:

A1 Colorimetric, molybdate blue, automated-segmented flow: USGS Methods: Methods I-1700-85 or I-2700-85.

B1 Colorimetric:

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i1 USEPA Inorganic Methods: Method 370.1, or

- ii1 ASTM Methods: Method D859-88;

C1 Molybdosilicate: Standard Methods: Method 4500-Si-D;

D1 Heteropoly blue: Standard Methods: Method 4500-Si-E;

E1 Automated method for molybdate-reactive silica: Standard Methods: Method 4500-Si-F; or

F1 Inductively-coupled plasma:

- i1 ICP Method 200.7, Rev. 3.2, or
- ii1 Standard Methods: Method 3120.

91 Temperature: Thermometric: Standard Methods: Method 2550.

BOARD NOTE: Derived from 40 CFR 141.89 (1992), as amended at 57 Fed. Reg. 31847 (July 17, 1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.360 Reporting

A supplier shall report all of the following information to the Agency in accordance with this Section.

a1 Reporting for tap, lead and copper, and water quality parameter monitoring.

- i1 A supplier shall report the following information for all samples within 10 days of the end of each applicable sampling period specified in Sections 611.356 through 611.358 (i.e., every six-months, annually, every 3 years, or every nine years).

A1 the results of all tap samples for lead and copper, including the location of each site and the criteria under Section 611.356(a)(3) through (7) under which the site was selected for the supplier's sampling pool;

B1 a certification that each first draw sample collected by the supplier was one-liter in volume and, to the best of the supplier's knowledge, had stood motionless in the service line, or in the interior plumbing of a sampling site, for at least six hours;

C1 where residents collected samples, a certification that each tap sample collected by the residents was taken after the supplier informed them of the proper sampling procedures specified in Section 611.356(b)(2);

D1 the 90th percentile lead and copper concentrations measured from among all lead and copper tap samples

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collected during each sampling period (calculated in accordance with Section 611.350(c)(3)).

- E) With the exception of initial tap sampling conducted pursuant to Section 611.356(d)(1), the supplier shall designate any site that was not sampled during previous sampling periods, and include an explanation of why sampling sites have changed.

- F) the results of all tap samples for pH, and where applicable, alkalinity, calcium, conductivity, temperature, and orthophosphate or silica collected pursuant to Section 611.357(b) through (e);

- G) the results of all samples collected at entry point(s) for applicable water quality parameters pursuant to Section 611.357(b) through (e).

- 2) By the applicable date in Section 611.356(d)(1) for commencement of monitoring, each CWS supplier that does not complete its targeted sampling pool with CWS tier 1 sampling sites meeting the requirements of Section 611.356(a)(4)(A) shall send a letter to the Agency justifying its selection of CWS tier 2 sampling sites or CWS tier 3 sampling sites pursuant to Section 611.356 (a)(4)(A)(ii), (a)(4)(A)(iii), or (a)(4)(A)(iv).

- 3) By the applicable date in Section 611.356(d)(1) for commencement of monitoring, each NTNCWS supplier that does not complete its sampling pool with NTNCWS tier 1 sampling sites meeting the requirements of Section 611.356(a)(4)(B) shall send a letter to the Agency justifying its selection of alternative NTNCWS sampling sites pursuant to that Section.

- 4) By the applicable date in Section 611.356(d)(1) for commencement of monitoring, each supplier with lead service lines that is not able to locate the number of sites served by such lines required by Section 611.356(a)(4)(D) shall send a letter to the Agency demonstrating why it was unable to locate a sufficient number of such sites based upon the information listed in Section 611.356(a)(2).

- 5) Each supplier that requests that the Agency grant a SEP that reduces the number and frequency of sampling shall provide the information required by Section 611.356(d)(4).

b) Reporting for source water monitoring.

- 1) A supplier shall report the sampling results for all source water samples collected in accordance with Section 611.358 within 10 days of the end of each source water sampling period (i.e., annually, per compliance period, per compliance cycle) specified in Section 611.358.

- 2) With the exception of the first round of source water sampling conducted pursuant to Section 611.358(b), a supplier shall specify any site that was not sampled during

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previous sampling periods, and include an explanation of why the sampling point has changed.

- c) Reporting for corrosion control treatment.

By the applicable dates under Section 611.351, a supplier shall report the following information:

- 1) for a supplier demonstrating that it has already optimized corrosion control, the information required by Section 611.352(b)(2) or (b)(3).
- 2) for a supplier required to optimize corrosion control, its recommendation regarding optimal corrosion control treatment pursuant to Section 611.352(a).
- 3) for a supplier required to evaluate the effectiveness of corrosion control treatments pursuant to Section 611.352(c), the information required by Section 611.352(c).
- 4) for a supplier required to install optimal corrosion control approved by the Agency pursuant to Section 611.352(d), a copy of the Agency permit letter, which acts as certification that the supplier has completed installing the permitted treatment.

- d) Reporting for source water treatment. On or before the applicable dates in Section 611.353, a supplier shall provide the following information to the Agency:

- 1) if required by Section 611.353(b)(1), its recommendation regarding source water treatment; or
- 2) for suppliers required to install source water treatment pursuant to Section 611.353(b)(2), a copy of the Agency permit letter, which acts as certification that the supplier has completed installing the treatment approved by the Agency within 24 months after the Agency approved the treatment.

- e) Reporting for lead service line replacement. A supplier shall report the following information to the Agency to demonstrate compliance with the requirements of Section 611.354:

- 1) Within 12 months after a supplier exceeds the lead action level in sampling referred to in Section 611.354(a), the supplier shall report each of the following to the Agency in writing:

- A) a demonstration that it has conducted a materials evaluation, including the evaluation required by Section 611.356(a).
- B) identify the initial number of lead service lines in its distribution system, and
- C) provide the Agency with the supplier's schedule for annually replacing at least 7 percent of the initial

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number of lead service lines in its distribution system.

- 21) Within 12 months after a supplier exceeds the lead action level in sampling referred to in Section 611.354(a), and every 12 months thereafter, the supplier shall demonstrate to the Agency in writing that the supplier has either:

A) replaced in the previous 12 months at least 7 percent of the initial number of lead service lines in its distribution system for any greater number of lines specified by the Agency pursuant to Section 611.354(f)(1), or

B) conducted sampling that demonstrates that the lead concentration in all service line samples from an individual line(s), taken pursuant to Section 611.356(b)(3), is less than or equal to 0.015 mg/L.

C) Where the supplier makes a demonstration under subsection (e)(2)(B) above, the total number of lines that the supplier has replaced, combined with the total number that meet the criteria of Section 611.354(b), shall equal at least 7 percent of the initial number of lead lines identified pursuant to subsection (a) above (or the percentage specified by the Agency pursuant to Section 611.354(f)).

- 31) The annual letter submitted to the Agency pursuant to subsection (e)(2) above shall contain the following information:

A) the number of lead service lines originally scheduled to be replaced during the previous year of the supplier's replacement schedule;

B) the number and location of each lead service line actually replaced during the previous year of the supplier's replacement schedule; and

C) if measured, the water lead concentration from each lead service line sampled pursuant to Section 611.356(b)(3) and the location of each lead service line sampled, the sampling method used, and the date of sampling.

- 41) As soon as practicable, but no later than three months after a supplier exceeds the lead action level in the sampling referred to in Section 611.354(a), any supplier seeking to rebut the presumption that it has control over the entire lead service line pursuant to Section 611.354(d) shall submit a letter to the Agency describing the following:

A) the legal authority (e.g., state statutes, municipal ordinances, public service contracts or other applicable legal authority) that limits the supplier's control over the service lines; and

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- B1) the extent of the supplier's control over the service lines.

BOARD NOTE: This communication is vital to a supplier seeking to replace less than entire service lines. Under Section 611.354(e)(1), a supplier is presumed to control the entire service line unless it makes an affirmative showing. Under Section 611.354(d)(2)(A), a supplier is affirmatively required to replace all of each service line except as to any particular service line for which the Agency has made an affirmative determination that the supplier does not control in its entirety. Under Sections 611.354(b)(1) and (b)(4), the supplier must have completed replacing seven percent of the lead service lines within a year of the day of the event that triggered the requirement. Section 39(a) of the Act allows the Agency 90 days to render its decision on any permit request. Therefore, any supplier that desires an Agency determination pursuant to Section 611.354(e)(2) must submit the required information within the three month time-frame of this subsection.

- f1) Reporting for public education program.

11) By December 31st of each calendar year, any supplier that is subject to the public education requirements of Section 611.355 shall submit a letter to the Agency demonstrating that the supplier has delivered the public education materials which meet the following requirements:

A1) the content requirements of Section 611.355(a) and (b), and

B1) the delivery requirements of Section 611.355(c).

21) The information submitted pursuant to this subsection shall include a list of all the newspapers, radio stations, television stations, facilities and organizations to which the supplier delivered public education materials during the previous year.

31) The supplier shall submit the letter required by this subsection annually for as long as it continues to exceed the lead action level.

g1) Reporting additional monitoring data. Any supplier that collects sampling data in addition to that required by this Subpart shall report the results of that sampling to the Agency on or before the end of the applicable sampling period(s) specified by Sections 611.356 through 611.358 during which the samples are collected.

BOARD NOTE: Derived from 40 CFR 141.90 (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.361 Recordkeeping

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Any supplier subject to the requirements of this Subpart shall retain on its premises original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules, Agency determinations, and any other information required by Sections 611.351 through Section 611.360. Each supplier shall retain the records required by this section for at least 12 years.

BOARD NOTE: Derived from 40 CFR 141.91 (1992).
(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

SUBPART L: MICROBIOLOGICAL MONITORING
AND ANALYTICAL REQUIREMENTS

Section 611.521 Routine Coliform Monitoring

- a) Suppliers shall collect total coliform samples at sites which are representative of water throughout the distribution system according to a written sample siting plan, which must be approved by special exception permit.
- b) The monitoring frequency for total coliforms for CWSs is based on the population served by the CWS, as set forth in Section 611. Table A. If a CWS serving 25 to 1,000 persons has no history of total coliform contamination in its current configuration and a sanitary survey conducted in the past five years shows that the CWS is supplied solely by a protected groundwater source and is free of sanitary defects, the Agency shall reduce the monitoring frequency specified in Table A, except that in no case shall the Agency reduce the monitoring frequency to less than one sample per quarter. The Agency shall approve the reduced monitoring frequency by special exception permit.
- c) The monitoring frequency for total coliforms for non-CWSs is as follows:

- 1) A non-CWS using only groundwater (except groundwater under the direct influence of surface water, as determined in Section 611.212) and serving 1,000 persons or fewer shall monitor each calendar quarter that the system provides water to the public, except that Public Health Agency shall reduce this monitoring frequency if a sanitary survey shows that the system is free of sanitary defects. Beginning June 29, 1994, Public Health Agency cannot reduce the monitoring frequency for a non-CWS using only groundwater (except groundwater under the direct influence of surface water) and serving 1,000 persons or fewer to less than once per year.
- 2) A non-CWS using only groundwater (except groundwater under the direct influence of surface water) and serving more than 1,000 persons during any month shall monitor at the same frequency as a like-sized CWS, as specified in subsection (b) above, except Public Health Agency shall reduce this monitoring frequency for any month the system serves 1,000 persons or fewer. Public Health Agency cannot reduce the monitoring to less than once per year. For systems using

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groundwater under the direct influence of surface water, subsection (c)(4) below applies.

- 3) A non-CWS using surface water, in total or in part, shall monitor at the same frequency as a like-sized CWS, as specified in subsection (b) above, regardless of the number of persons it serves.
- 4) A non-CWS using groundwater under the direct influence of surface water, shall monitor at the same frequency as a like-sized CWS, as specified in subsection (b) above. The supplier shall begin monitoring at this frequency beginning six months after Public Health determines that the groundwater is under the direct influence of surface water.
- d) The supplier shall collect samples at regular time intervals throughout the month, except that a supplier which uses only groundwater (except groundwater under the direct influence of surface water) and serves 4,900 persons or fewer, may collect all required samples on a single day if they are taken from different sites.
- e) A PWS that uses surface water or groundwater under the direct influence of surface water, and does not practice filtration in compliance with Subpart B of this Part, shall collect at least one sample near the first service connection each day the turbidity level of the source water, measured as specified in Section 611.532(b), exceeds 1 NTU. This sample must be analyzed for the presence of total coliforms. When one or more turbidity measurements in any day exceed 1 NTU, the supplier shall collect this coliform sample within 24 hours of the first exceedance, unless the Agency has determined, by special exception permit, that the supplier, for logistical reasons outside the supplier's control, cannot have the sample analyzed within 30 hours of collection. Sample results from this coliform monitoring must be included in determining compliance with the MCL for total coliforms in Section 611.325.
- f) Special purpose samples, such as those taken to determine whether disinfection practices are sufficient following pipe placement, replacement or repair, must not be used to determine compliance with the MCL for total coliforms in Section 611.325.

BOARD NOTE: Derived from 40 CFR 141.21(a) (1989), as amended at 54 Fed. Reg. 27562, June 29, 1989.

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.560 Turbidity

The requirements in this Section apply to unfiltered PWSs until December 30, 1991, unless the Agency has determined prior to that date that filtration is required. The requirements in this Section apply to filtered PWSs until June 29, 1993. The requirements in this Section apply to unfiltered PWSs that the Agency has determined must install filtration, until June 29, 1993, or until

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filtration is installed, whichever is later.

- a) Suppliers shall take samples at representative entry point(s) to the distribution system at least once per day, for the purposes of making turbidity measurements to determine compliance with Section 611.320.

1) If Public Health determines that a reduced sampling frequency in a non-CWS will not pose a risk to public health, it may reduce the required sampling frequency. The option of reducing the turbidity frequency will be permitted only in those suppliers that practice disinfection and which maintain an active RDC in the distribution system, and in those cases where Public Health has indicated in writing that no unreasonable risk to health existed under the circumstances of this option.

2) The turbidity measurements must be made in accordance with the following methods, incorporated by reference in Section 611.102:

A) By the Nephelometric Method:

i) Standard Methods: Method 214A; or

ii) USEPA_Inorganic Methods: Method 180.1.

B) Calibration of the turbidimeter must be made either by the use of a formazin standard as specified in the cited references, or a styrene divinylbenzene polymer standard (Amco-AEPA-1 Polymer).

b) If the result of a turbidity analysis indicates that the maximum allowable limit has been exceeded, the sampling and measurement must be confirmed by resampling as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum allowable limit has been exceeded, the supplier of water shall report to the Agency within 48 hours. The repeat sample must be the sample used for the purpose of calculating the monthly average. If the monthly average of the daily samples exceeds the maximum allowable limit, or if the average of two samples taken on consecutive days exceeds 5 NTU, the supplier of water shall report to the Agency and notify the public as directed in Subpart T of this Part.

c) Sampling for non-CWSs must begin by June 29, 1991.

d) This Section applies only to suppliers that use water obtained in whole or in part from surface sources.

BOARD NOTE: Derived from 40 CFR 141.22 (1991:2).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.611 Inorganic Analysis

Analytical methods are from documents incorporated by reference in Section 611.102. These are mostly referenced by a short name defined by Section

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611.102(a). Other abbreviations are defined in Section 611.101.

- a) Analysis for asbestos, barium, cadmium, chromium, mercury, nitrate, nitrite, and selenium pursuant to Sections 611.600 through 611.604 must be conducted using the following methods. For approved analytical techniques for metals and selenium, the technique applicable to total metals must be used.

1) Asbestos: Transmission electron microscopy, Asbestos Methods.

2) Barium:

A) Atomic absorption, furnace technique:

i) USEPA_Inorganic Methods: Method 208.2, or

ii) Standard Methods: Method 304;

B) Atomic absorption, direct aspiration:

i) USEPA_Inorganic Methods: Method 208.1, or

ii) Standard Methods: Method 303C; or

C) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method: Method 200.7, as supplemented by Method 200.7A.

3) Cadmium:

A) Atomic absorption, furnace technique:

i) USEPA_Inorganic Methods: Method 213.2, or

ii) Standard Methods: Method 304; or

B) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method, Method 200.7, as supplemented by Method 200.7A.

4) Chromium:

A) Atomic absorption, furnace technique:

i) USEPA_Inorganic Methods: Method 218.2, or

ii) Standard Methods: Method 304 (The addition of 1 mL of 30% hydrogen peroxide to each 100 mL of standards and samples is required before analysis.); or

B) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method, Method 200.7, as supplemented by Method 200.7A.

5) Mercury:

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- A) Manual cold vapor technique:
- i) USEPA Inorganic Methods: Method 245.1,
 - ii) ASTM D3223-86, or
 - iii) Standard Methods: Method 303F; or
- B) Automated cold vapor technique, USEPA Inorganic Methods: Method 245.2.
- 6) Nitrate:
- A) Manual cadmium reduction:
- i) USEPA Inorganic Methods: Method 353.3,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418C;
- B) Automated hydrazine reduction: USEPA Inorganic Methods: Method 353.1;
- C) Automated cadmium reduction:
- i) USEPA Inorganic Methods: Method 353.2,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418F;
- D) Ion selective electrode: WetWG/5880, available from Orion Research; or
- E) Ion chromatography:
- i) USEPA Inorganic Methods: Method 300.0, or
 - ii) B-1011, available from Millipore Corporation.
- 7) Nitrite:
- A) Spectrophotometric: USEPA Inorganic Methods: Method 354.1;
- B) Automated cadmium reduction:
- i) USEPA Inorganic Methods: Method 353.2,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418F;
- C) Manual cadmium reduction:
- i) USEPA Inorganic Methods: Method 353.3,

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- ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418C.
- D) Ion chromatography:
- i) USEPA Inorganic Methods: Method 300.0, or
 - ii) Method B-1011, available from Millipore Corporation.
- 8) Selenium:
- A) Atomic absorption, gaseous hydride: ASTM D3859-88A; or
- B) Atomic absorption, furnace technique:
- i) USEPA Inorganic Methods: Method 270.2,
 - ii) ASTM D3859-88B, or
 - iii) Standard Methods: Method 304 (Prior to dilution of the selenium calibration standard, add 2 mL of 30% hydrogen peroxide for each 100 mL of standard.)
- b) Arsenic. Analyses for arsenic must be conducted using one of the following methods:
- 1) Atomic absorption, furnace technique: USEPA Inorganic Methods: Method 206.2;
 - 2) Atomic absorption, gaseous hydride:
- A) USEPA Inorganic Methods: Method 206.3,
 - B) ASTM D2972-88B,
 - C) Standard Methods:
- i) Method 307A (referencing Methods 303E and 304), or
 - ii) Method 307B
- D) USGS Methods: I-1062-85;
- 3) Spectrophotometric, silver diethyldithiocarbamate:
- A) USEPA Inorganic Methods: Method 206.4,
 - B) ASTM D 2972-88A, or
 - C) Standard Methods: Method 307B; or
- 4) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method, Method 200.7, as supplemented by Method

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200.7A.

- c) Fluoride. Analyses for fluoride must be conducted using one of the following methods:

1) Colorimetric SPADNS, with distillation:

A) USEPA Inorganic Methods: Method 340.1,B) ASTM D1179-72A, or

C) Standard Methods: Methods 413A and 413C;

BOARD NOTE: 40 CFR 141.23(k)(3) cites methods "43 A and C", an obvious error that the Board has corrected to "413A and 413C".

2) Potentiometric, ion selective electrode:

A) USEPA Inorganic Methods: Method 340.2,B) ASTM D1179-72B, or

C) Standard Methods: Method 413B;

3) Automated Alizarin fluoride blue, with distillation (complexone):

A) USEPA Inorganic Methods: Method 340.3,

B) Standard Methods: Method 413E, or

C) Technicon Methods: Method 129-71W; or

4) Automated ion selective electrode: Technicon Methods, Method 380-75WE.

- d) Sample collection for asbestos, barium, cadmium, chromium, fluoride, mercury, nitrate, nitrite and selenium pursuant to Sections 611.600 through 611.604 must be conducted using the following sample preservation, container and maximum holding time procedures:

1) Asbestos:

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

2) Barium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis,

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the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

3) Cadmium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

4) Chromium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

5) Fluoride:

A) Preservative: None.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 1 month.

6) Mercury:

- A) Preservative: Concentrated nitric acid to pH less

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than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

7) Nitrate, chlorinated:

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

8) Nitrate, non-chlorinated:

A) Preservative: Concentrated sulfuric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

9) Nitrite:

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 48 hours.

10) Selenium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

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B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

e) Analyses under this Subpart must be conducted by laboratories that received approval from USEPA or the Agency. The Agency shall approve laboratories to conduct analyses for asbestos, barium, cadmium, chromium, fluoride, mercury, nitrate, nitrite and selenium if the laboratory:

1) Analyzes performance evaluation samples, provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c), that include those substances at levels not in excess of levels expected in drinking water; and

2) Achieves quantitative results on the analyses within the following acceptance limits:

A) Asbestos, 2 standard deviations based on study statistics.

B) Barium, $\pm 15\%$ at greater than or equal to 0.15 mg/L.

C) Cadmium, $\pm 20\%$ at greater than or equal to 0.002 mg/L.

D) Chromium, $\pm 15\%$ at greater than or equal to 0.01 mg/L.

E) Fluoride, $\pm 10\%$ at 1 to 10 mg/L.

F) Mercury, $\pm 30\%$ at greater than or equal to 0.0005 mg/L.

G) Nitrate, $\pm 10\%$ at greater than or equal to 0.4 mg/L.

H) Nitrite, $\pm 15\%$ at greater than or equal to 0.4 mg/L.

I) Selenium, $\pm 20\%$ at greater than or equal to 0.01 mg/L.

BOARD NOTE: Derived from 40 CFR 141.23(k).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.612 Monitoring Requirements for Old Inorganic MCLs

a) Analyses for the purpose of determining compliance with the old inorganic MCLs of Section 611.300 are required as follows:

1) Analyses for all CWSs utilizing surface water sources must be repeated at yearly intervals.

2) Analyses for all CWSs utilizing only groundwater sources must be repeated at three-year intervals.

3) This subsection corresponds with 40 CFR 141.23(l)(3) (19912), which requires monitoring for the repealed old MCL for nitrate at a frequency specified by the state. The

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Board has followed the USEPA lead and repealed that old MCL. This statement maintains structural consistency with USEPA rules

- 4) This subsection corresponds with 40 CFR 141.23(1)(4) (19912), which authorizes the state to determine compliance and initiate enforcement action. This authority exists through the authorization of the Act, not thorough federal rules. This statement maintains structural consistency with USEPA rules.

- b) If the result of an analysis made under subsection (a) above indicates that the level of any contaminant listed in Section 611.300 exceeds the old MCL, the supplier shall report to the Agency within 7 days and initiate three additional analyses at the same sampling point within one month.

- c) When the average of four analyses made pursuant to subsection (b) above, rounded to the same number of significant figures as the old MCL for the substance in question, exceeds the old MCL, the supplier shall notify the Agency and give notice to the public pursuant to Subpart T of this Part. Monitoring after public notification must be at a frequency designated by the Agency by a SEP granted pursuant to Section 611.110 and must continue until the old MCL has not been exceeded in two successive samples or until a different monitoring schedule becomes effective as a condition to a variance, an adjusted standard, a site specific rule, an enforcement action, or another SEP granted pursuant to Section 611.110.

- d) This subsection corresponds with 40 CFR 141.23(o) (19912), which pertains to monitoring for the repealed old MCL for nitrate. The Board has followed the USEPA action and repealed that old MCL. This statement maintains structural consistency with USEPA rules.

- e) This subsection corresponds with 40 CFR 141.23(p) (19912), which pertains to the use of existing data up until a date long since expired. The Board did not adopt the original provision in R88-26. This statement maintains structural consistency with USEPA rules.

- f) Analyses conducted to determine compliance with the old MCLs of Section 611.300 must be made in accordance with the following methods, incorporated by reference in Section 611.102.

- 1) Arsenic:
 - A) ASTM:
 - i) Method D2972-88A, or
 - ii) Method D2972-88B;
 - B) Standard Methods:
 - i) Method 307A, or
 - ii) Method 307B;

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- C) USGS Methods, Method I-1062-85;

- D) USEPA Inorganic Methods:

- i) Method 206.2, or
- ii) Method 206.3; or

- E) Inductively-Coupled Plasma ICP Method 200.7, as supplemented by appendix 200.7A.

- 2) Barium:

- A) Standard Methods: Method 308;

- B) USEPA Inorganic Methods:

- i) Method 208.1, or
- ii) Method 208.2; or

- C) Inductively-Coupled Plasma ICP Method 200.7, as supplemented by appendix 200.7A.

- 3) Lead:

- A) ASTM:

- i) Method D3559-78A, or

- ii) Method D3559-78B;

- B) Standard Methods:

- i) Method 301A (ii), or

- ii) Method 301A (iii);

- C) Inorganic Methods:

- i) Method 239.1, or

- ii) Method 239.2, or

- D) Inductively-Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

- 43) Fluoride: The methods specified in Section 611.611(c) shall apply for the purposes of this Section.

- 5) Copper:

- A) ASTM:

- i) Method D1688-84D, or

- ii) Method D1688-84E;

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~~i) Standard Method:~~

~~i) Method 303A;~~

~~ii) Method 303B; or~~

~~iii) Method 304;~~

~~ii) Inorganic Methods:~~

~~i) Method 220.1; or~~

~~ii) Method 220.2; or~~

~~B) Inductively-Coupled-Plasma Method 200.7, as supplemented by appendix 200.7A;~~

64) Cyanide:

A) Standard Methods: Method 412D, or

B) USEPA Inorganic Methods: Method 335.2.

75) Iron:

A) Standard Methods: Method 303A;

B) USEPA Inorganic Methods:

i) Method 236.1, or

ii) Method 236.2; or

C) ~~Inductively-Coupled-Plasma~~ICP Method 200.7, as supplemented by appendix 200.7A.

86) Manganese:

A) ASTM: Method D858-84;

B) Standard Methods: Method 303A;

C) USEPA Inorganic Methods:

i) Method 243.1, or

ii) Method 243.2; or

D) ~~Inductively-Coupled-Plasma~~ICP Method 200.7, as supplemented by appendix 200.7A.

97) Zinc:

A) Standard Methods: Method 303A; or

B) USEPA Inorganic Methods:

i) Method 289.1, or

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ii) Method 289.2.

BOARD NOTE: The provisions of subsections (a) through (f) above apply to additional state requirements. Subsections (a) through (f)(3) above derived from 40 CFR 141.23(1) through (q) (1992). The Board has deleted several analytical methods codified by USEPA at 40 CFR 141.23(q) formerly 40 CFR 141.23(f) because the MCLs of 40 CFR 141.11 expired for those contaminants on July 30 and November 30, 1992. Subsection (f)(43) above relates to a contaminant for which USEPA specifies an MCL, but for which it repealed the analytical method. Subsections (f)(54) through (f)(98) above relate exclusively to additional state requirements. The predecessor to subsections (a) through (e) above were formerly codified as Section 611.601. The predecessor to subsection (f) above was formerly codified as Section 611.606.

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.630 Special Monitoring for Sodium

a) CWS suppliers shall collect and analyze one sample per plant at the entry point of the distribution system for the determination of sodium concentration levels; samples must be collected and analyzed annually for CWSs utilizing surface water sources in whole or in part, and at least every three years for CWSs utilizing solely groundwater sources. The minimum number of samples required to be taken by the supplier is based on the number of treatment plants used by the supplier, except that multiple wells drawing raw water from a single aquifer may, with the Agency approval, be considered one treatment plant for determining the minimum number of samples. The Agency shall require the supplier to collect and analyze water samples for sodium more frequently in locations where the sodium content is variable.

b) The CWS supplier shall report to the Agency the results of the analyses for sodium within the first 10 days of the month following the month in which the sample results were received or within the first 10 days following the end of the required monitoring period as specified by SEP, whichever of these is first. If more than annual sampling is required the supplier shall report the average sodium concentration within 10 days of the month following the month in which the analytical results of the last sample used for the annual average was received.

c) The CWS supplier shall notify the Agency and appropriate local public health officials of the sodium levels by written notice by direct mail within three months. A copy of each notice required to be provided by this subsection must be sent to the Agency within 10 days of its issuance.

d) Analyses for sodium must be performed by the following methods, incorporated by reference in Section 611.102:

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- 1) Standard Methods, Methods 320 and 320A, flame photometric method;
- 2) USEPA Inorganic Methods:
 - A) Method 273.1, Atomic Absorption - Direct Aspiration; or
 - B) Method 273.2, Atomic Absorption - Graphite Furnace; or
- 3) ASTM Method D1428-64.

BOARD NOTE: Derived from 40 CFR 141.41 (19942).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.640 Definitions

The following terms are defined for use in this Subpart only. Additional definitions are located in Section 611.102.

"Old MCL" means an MCL in Section 611.310. These include the MCLs identified as "additional state requirements" and those derived from 40 CFR 141.12, but excluding TTHM. "Old MCLs" includes the Section 611.310 MCLs for the following contaminants:

Aldrin
2,4-D
DDT
Dieldrin
Endrin
Heptachlor
Heptachlor epoxide

BOARD NOTE: 2,4-D, heptachlor, and heptachlor epoxide are also "Phase II SOCs". The additional state requirements of Section 611.310 impose a more stringent "old MCL" for each of these compounds than that imposed on them as Phase II SOCs by Section 611.311. However, the requirements for sampling and monitoring for these compounds as Phase II SOCs and the consequences of their detection and violation of their revised MCLs is more stringent as Phase II SOCs.

"Phase II SOCs" means:

Alachlor
Atrazine
Carbofuran
Chlordane
Dibromochloropropane
Ethylene dibromide
Heptachlor
Heptachlor epoxide
Lindane
Methoxychlor
Polychlorinated biphenyls

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Toxaphene
2,4-D

2,4,5-TP

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(c)(1) through (c)(18) (19942). The MCLs for these contaminants are located at Section 611.311. More stringent MCLs for heptachlor, heptachlor epoxide, and 2,4-D are found as "additional state requirements" in Section 611.310.

"Phase IIB SOCs" means:

Aldicarb
Aldicarb sulfone
Aldicarb sulfoxide
Pentachlorophenol

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(c)(1) through (c)(18) (1992). The MCLs for these contaminants are located at Section 611.311. The effectiveness of the Section 611.311 MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfoxide are administratively stayed until the Board takes further administrative action to end this stay. However, suppliers must monitor for these three SOCs pursuant to Section 611.648. See 40 CFR 141.6(g) (1992) and 57 Fed. Reg. 22178 (May 27, 1992).

"Phase I VOCs" means:

Benzene
Carbon tetrachloride
p-Dichlorobenzene.
1,2-Dichloroethane
1,1-Dichloroethylene
1,1,1-Trichloroethane
Trichloroethylene
Vinyl chloride

BOARD NOTE: These are the organic contaminants regulated at 40 CFR 141.61(a)(1) through (a)(8) (19942). The MCLs for these contaminants are located at Section 611.311(a).

"Phase II VOCs" means:

o-Dichlorobenzene
cis-1,2-Dichloroethylene
trans-1,2-Dichloroethylene
1,2-Dichloropropane
Ethylbenzene
Monochlorobenzene
Styrene
Tetrachloroethylene
Toluene
Xylenes (total)

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(a)(9) through (a)(18) (19942). The MCLs for these contaminants are in Section 611.311(a).

"Revised MCL" means an MCL in Section 611.311. This term includes

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MCLs for "Phase I VOCs", "Phase II VOCs" and "Phase II SOCs".

Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993

Section 611.646 Phase I and Phase II Volatile Organic Contaminants

Monitoring of the Phase I VOCs and Phase II VOCs for the purpose of determining compliance with the MCL must be conducted as follows:

a) Definitions. As used in this Section:

"Detect" and "detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means 0.0005 mg/L.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7), (f)(11), (f)(14)(i), and (f)(20) (19942). This is a "trigger level" for Phase I VOCs and Phase II VOCs inasmuch as it prompts further action. The use of the term "detect" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit". Note, however that certain language at the end of federal paragraph (f)(20) is capable of meaning that the "method detection limit" is used to derive the "detection limit". The Board has chosen to disregard that language at the end of paragraph (f)(20) in favor of the more direct language of paragraphs (f)(7) and (f)(11).

"Method detection limit", as used in subsections (q) and (t) below means the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

BOARD NOTE: Derived from 40 CFR 136, Appendix B (19942). The method detection limit is determined by the procedure set forth in 40 CFR 136, Appendix B. See subsection (t) below.

b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (u) below.

c) Sampling points.

1) Sampling points for GWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:

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- A) Each entry point after treatment; or
B) Points in the distribution system that are representative of each source.

- 3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.
4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) above derived from 40 CFR 141.24(f)(1) through (f)(3) (19942).

d) Each CWS and NTNCWS supplier shall take four consecutive quarterly samples for each of the Phase I VOCs, excluding vinyl chloride, and Phase II VOCs during each compliance period, beginning in the compliance period starting January 1, 1993.

e) Reduction to annual monitoring frequency. If the initial monitoring for the Phase I VOCs and Phase II VOCs as allowed in subsection (r)(1) below has been completed by December 31, 1992, and the supplier did not detect any of the Phase I VOCs, including vinyl chloride, or Phase II VOCs, then the supplier shall take one sample annually beginning January 1, 1993.

f) CWS reduction to triennial monitoring frequency. After a minimum of three years of annual sampling, CWS suppliers that have not previously detected any of the Phase I VOCs, including vinyl chloride, or Phase II VOCs shall take one sample during each three-year compliance period.

g) A CWS or NTNCWS supplier that has completed the initial round of monitoring required by subsection (d) above and which did not detect any of the Phase I VOCs, including vinyl chloride, and Phase II VOCs may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from the requirements of subsection (e) or (f) above.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7) and (f)(10) (19942). Provisions concerning the term of the waiver appear below in subsections (i) and (j) below. The definition of "detect", parenthetically added to the federal counterpart paragraph is in subsection (a) above.

h) Vulnerability Assessment. The Agency shall consider the factors of Section 611.110(e) in granting a SEP from the requirements of subsections (e) or (f) above sought pursuant to subsection (g) above.

i) A SEP issued to a CWS pursuant to subsection (g) above is for a maximum of six years. As a condition of a SEP, the supplier shall, within 30 months after the beginning of the period for

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which the waiver was issued, reconfirm its vulnerability assessment required by subsection (h) above and submitted pursuant to subsection (g) above, by taking one sample at each sampling point and reapplying for a SEP pursuant to subsection (g) above. Based on this application, the Agency shall either:

- 1) If it determines that the PWS meets the standard of Section 611.610(e), issue a SEP that reconfirms the prior SEP for the remaining three-year compliance period of the six-year maximum term; or,
 - 2) Issue a new SEP requiring the supplier to sample annually.
- BOARD NOTE: This provision does not apply to SWSs and mixed systems.

j) Special considerations for SEPs for SWS and mixed systems.

- 1) The Agency must determine that a SWS is not vulnerable before issuing a SEP pursuant to a SWS supplier. A SEP issued to a SWS or mixed system supplier pursuant to subsection (g) above is for a maximum of one compliance period; and
- 2) The Agency may require, as a condition to a SEP issued to a SWS or mixed supplier, that the supplier take such samples for Phase I VOCs and Phase II VOCs at such a frequency as the Agency determines are necessary, based on the vulnerability assessment.

BOARD NOTE: There is a great degree of similarity between 40 CFR 141.24(f)(7), the provision applicable to GWSs, and 40 CFR 141.24(f)(10), the provision for SWSs. The Board has consolidated the common requirements of both paragraphs into subsection (g) above. Subsection (j) above represents the elements unique to SWSs and mixed systems, and subsection (l) above relates to GWSs. Although 40 CFR 141.24(f)(7) and (f)(10) are silent as to mixed systems, the Board has included mixed systems with SWSs because this best follows the federal scheme for all other contaminants.

k) If one of the Phase I VOCs, excluding vinyl chloride, or Phase II VOCs is detected in any sample, then:

- 1) The supplier shall monitor quarterly for that contaminant at each sampling point that resulted in a detection.
- 2) Annual monitoring.
 - A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to annual at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
 - B) A request for a SEP must include the following minimal information:
 - 1) Quarterly monitoring following MCL violations.
 - 1) Suppliers that violate an MCL for one of the Phase I VOCs, including vinyl chloride, or Phase II VOCs, as determined by

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- i) For a GWS, two quarterly samples.
- ii) For a SWS or mixed system, four quarterly samples.
- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (k)(1) above if it violates the MCL specified by Section 611.311.
- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.
- 4) Suppliers that do not detect a contaminant at a sampling point in three consecutive annual samples may apply to the Agency for a SEP pursuant to Section 611.110 that allows it to discontinue monitoring for that contaminant at that point, as specified in subsection (g) above.
- 5) A GWS supplier that has detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) below shall monitor quarterly for vinyl chloride as described in subsection (k)(5)(B) below, subject to the limitation of subsection (k)(5)(C) below.

A) Two-carbon contaminants (Phase I or II VOC):

- 1,2-Dichloroethane (Phase I)
- 1,1-Dichloroethylene (Phase I)
- cis-1,2-Dichloroethylene (Phase II)
- trans-1,2-Dichloroethylene (Phase II)
- Tetrachloroethylene (Phase II)
- 1,1,1-Trichloroethylene (Phase I)
- Trichloroethylene (Phase I)

B) The supplier shall sample quarterly for vinyl chloride at each sampling point at which it detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) above.

C) The Agency shall grant a SEP pursuant to Section 611.110 that allows the supplier to reduce the monitoring frequency for vinyl chloride at any sampling point to once in each three-year compliance period if it determines that the supplier has not detected vinyl chloride in first sample required by subsection (k)(5)(B) above.

1) Quarterly monitoring following MCL violations.

- 1) Suppliers that violate an MCL for one of the Phase I VOCs, including vinyl chloride, or Phase II VOCs, as determined by

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subsection (o) below, shall monitor quarterly for that contaminant, at the sampling point where the violation occurred, beginning the next quarter after the violation.

2) Annual monitoring.

- A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to annually if it determines that the sampling point is reliably and consistently below the MCL.
- B) A request for a SEP must include the following minimal information: four quarterly samples.
- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (1)(1) above if it violates the MCL specified by Section 611.311.
- D) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.

m) Confirmation samples. The Agency may issue a SEP pursuant to Section 610.110 to require a supplier to use a confirmation sample for results that it finds dubious for whatever reason. The Agency must state its reasons for issuing the SEP if the SEP is Agency-initiated.

- 1) If a supplier detects any of the Phase I VOCs or Phase II VOCs in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.

2) Averaging is as specified in subsection (o) below.

- 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.

n) This subsection corresponds with 40 CFR 141.24(f)(14), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

o) Compliance with the MCLs for the Phase I VOCs and Phase II VOCs must be determined based on the analytical results obtained at each sampling point.

- 1) For suppliers that conduct monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.

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- A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.
- B) If the initial sample or a subsequent sample would cause the annual average to exceed the MCL, then the supplier is out of compliance immediately.

- C) Any samples below the detection limit shall be deemed as zero for purposes of determining the annual average.

- 2) If monitoring is conducted annually, or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.

- 3) Public notice for a supplier out of compliance is governed by Subpart T of this Part.

p) Analyses for the Phase I VOCs and Phase II VOCs must be conducted using the following methods. These methods are contained in USEPA Organic Methods, incorporated by reference in Section 611.102:

- 1) Method 502.1, "Volatile Halogenated Organic Chemicals in Water by Purge and Trap Gas Chromatography."
- 2) Method 502.2, "Volatile Organic Compounds in Water by Purge and Trap Capillary Column Gas Chromatography with Photoionization and Electrolytic Conductivity Detectors in Series."
- 3) Method 503.1, "Volatile Aromatic and Unsaturated Organic Compounds in Water by Purge and Trap Gas Chromatography."
- 4) Method 524.1, "Measurement of Purgeable Organic Compounds in Water by Purged Column Gas Chromatography/Mass Spectrometry."
- 5) Method 524.2, "Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry."

q) Analysis under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions:

- 1) To receive conditional approval to conduct analyses for the Phase I VOCs, excluding vinyl chloride, and Phase II VOCs the laboratory must:

- A) Analyze performance evaluation samples that include these substances provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);
- B) Achieve the quantitative acceptance limits under subsections (q)(1)(C) and (q)(1)(D) below for at least 80 percent of the Phase I VOCs, excluding vinyl

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- chloride, or Phase II VOCs, except vinyl chloride;
- C) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) above that are within ± 20 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is greater than or equal to 0.010 mg/L;
- D) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) above that are within ± 40 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is less than 0.010 mg/L; and
- E) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, appendix B, incorporated by reference in Section 611.102.
- 2) To receive conditional approval to conduct analyses for vinyl chloride the laboratory must:
- A) Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);
- B) Achieve quantitative results on the analyses performed under subsection (q)(2)(A) above that are within ± 40 percent of the actual amount of vinyl chloride in the performance evaluation sample;
- C) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, appendix B, incorporated by reference in Section 611.102; and
- D) Obtain certification pursuant to subsection (q)(1) above for Phase I VOCs, excluding vinyl chloride, and Phase II VOCs.
- r) Use of existing data.
- 1) The Agency shall allow the use of data collected after January 1, 1988 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.
- 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning January 1, 1993 if it determines that the supplier did not detect any Phase I VOC or Phase II VOC using existing data allowed pursuant to subsection (r)(1) above.
- s) The Agency shall, by SEP, increase the number of sampling points or the frequency of monitoring if it determines that it is necessary to detect variations within the PWS.
- t) Each laboratory approved for the analysis of Phase I VOCs or Phase II VOCs pursuant to subsection (q)(1) or (q)(2) above shall:

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- 1) Determine the method detection limit (MDL), as defined in 40 CFR 136, Appendix B, incorporated by reference in Section 611.102, at which it is capable of detecting the Phase I VOCs and Phase II VOCs; and,
- 2) Achieve an MDL for each Phase I VOC and Phase II VOC that is less than or equal to 0.0005 mg/L.
- u) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.

BOARD NOTE: Derived from 40 CFR 141.24(f) (19942).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.647 Sampling for Phase I Volatile Organic Contaminants

For systems in operation before January 1, 1993, for purposes of initial monitoring, analysis of Phase I VOCs for purposes of determining compliance with the MCLs must be conducted as follows:

- a) GWS suppliers shall sample at entry points representative of each well after treatment. Sampling must be conducted at the same location(s) or more representative location(s) every three months for one year except as provided in subsection (h)(1) below.
- b) SWS and mixed system suppliers using surface sources shall sample at points in the distribution system representative of each source or at entry points to the distribution system after any application of treatment. SWS and mixed system suppliers shall sample each source every three months except as provided in subsection (h)(2) below. Sampling must be conducted at the same location or a more representative location each quarter.
- c) If the system draws water from more than one source and sources are combined before distribution, the supplier shall sample at an entry point to the distribution system during periods of normal operating conditions.
- d) Time for sampling.
- 1) All CWS and NTNCWS suppliers serving more than 3,300 people shall analyze all distribution or entry-point samples, as appropriate, representing all source waters.
- 2) All other CWS and NTNCWS suppliers shall analyze distribution or entry-point samples, as required in this paragraph, representing all source waters beginning no later than January 1, 1991.
- e) If the results exceed the MCL, the CWS or NTNCWS supplier shall initiate three additional analyses at the same sampling point within one month. The sample results must be averaged with the first sampling result and used for compliance determination in accordance with subsection (i) below. The Agency shall delete results of obvious sampling errors from this calculation.
- f) Analysis for vinyl chloride is required only for GWSs that have

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detected one or more of the following two-carbon organic compounds: Trichloroethylene, tetrachloroethylene, 1,2-dichloroethane, 1,1,1-trichloroethane, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene or 1,1-dichloroethylene. The analysis for vinyl chloride is required at each distribution or entry point at which one or more of the two-carbon organic compounds were found. If the first analysis does not detect vinyl chloride, the Agency shall reduce the frequency of vinyl chloride monitoring to once every three years for that sample location or other sample locations that are more representative of the same source.

- g) The Agency or suppliers may composite up to five samples from one or more suppliers. Compositing of samples is to be done in the laboratory by the procedures listed below. Samples must be analyzed within fourteen days of collection. If any of the Phase I VOCs is detected in the original composite sample, a sample from each source that made up the composite sample must be reanalyzed individually within fourteen days from sampling. The sample for reanalysis cannot be the original sample but can be a duplicate sample. If duplicates of the original samples are not available, new samples must be taken from each source used in the original composite and analyzed for the Phase I VOCs. Reanalysis must be accomplished within fourteen days of the second sample. To composite samples, the following procedure must be followed:

- 1) Compositing samples prior to GC analysis.
 - A) Add 5 ml or equal larger amounts of each sample (up to 5 samples are allowed) to a 25 ml glass syringe. Special precautions must be made to maintain zero headspace in the syringe.
 - B) The samples must be cooled at 4° C during this step to minimize volatilization losses.
 - C) Mix well and draw out a 5-ml aliquot for analysis.
 - D) Follow sample introduction, purging and desorption steps described in the method.
 - E) If less than five samples are used for compositing, a proportionately smaller syringe may be used.
- 2) Compositing samples prior to GC/MS analysis.

- A) Inject 5-ml or equal larger amounts of each aqueous sample (up to 5 samples are allowed) into a 25-ml purging device using the sample introduction technique described in the method.
- B) The total volume of the sample in the purging device must be 25 ml.
- C) Purge and desorb as described in the method.

- h) Until January 1, 1993, the Agency shall, by SEP, reduce the monitoring frequency specified in subsections (a) and (b) if it makes the following determinations:

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- 1) ~~The monitoring frequency for GWSs is as follows:~~

- A) ~~If none of the Phase I VOCs are detected in the first sample (or any subsequent samples that may be taken) and the GWS is not vulnerable as defined in subsection (h)(4), monitoring must be reduced to one sample and must be repeated every 5 years.~~
- B) ~~If none of the Phase I VOCs are detected in the first sample (or any subsequent sample that may be taken) and the GWS is vulnerable as defined in subsection (h)(4):~~
 - i) ~~Monitoring one sample must be repeated every 3 years for GWSs with more than 500 connections.~~
 - ii) ~~Monitoring one sample must be repeated every 5 years for GWSs with 500 or fewer connections.~~
- C) ~~If one of the Phase I VOCs is detected in the first sample (or any subsequent sample that may be taken) regardless of vulnerability, monitoring must be repeated every 3 months, as required under subsection (e).~~
- 2) ~~The repeat monitoring frequency for GWSs and mixed systems is as follows:~~
 - A) ~~If none of the Phase I VOCs is detected in the first year of quarterly sampling (or any other subsequent sample that may be taken) and the GWS is not vulnerable as defined in subsection (h)(4), additional monitoring is not required.~~
 - B) ~~If none of the Phase I VOCs is detected in the first year of quarterly sampling (or any other subsequent sample that may be taken) and the GWS is vulnerable as defined in subsection (h)(4):~~
 - i) ~~Monitoring must be repeated every three years (for GWSs with more than 500 connections).~~
 - ii) ~~Monitoring must be repeated every five years (for GWSs with 500 or fewer connections).~~
 - C) ~~If one of the Phase I VOCs is detected in the first year of quarterly sampling (or any other subsequent sample that may be taken), regardless of vulnerability, monitoring must be repeated every 3 months, as required under subsection (b).~~
- 3) ~~The Agency shall, by SEP, reduce the frequency of monitoring to once per year for a GWS or SMS which detects one of the Phase I VOCs at levels consistently less than the MCL for three consecutive years, unless the levels are increasing.~~
- 4) ~~The Agency shall, by SEP, determine the vulnerability of each GWS based upon an assessment of the following factors:~~

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- ~~A) Previous monitoring results.~~
- ~~B) Number of persons served by CWS.~~
- ~~C) Proximity of a smaller CWS to a larger CWS.~~
- ~~D) Proximity to commercial or industrial use, disposal or storage of the Phase I VOCs.~~
- ~~E) Protection of the water source.~~
- 5) ~~A CWS is deemed to be vulnerable for a period of three years after any positive measurement of one or more contaminants listed in Sections 611.650(c), 611.657(d) or 611.311(a), except for THMs or other demonstrated disinfection by-product.~~

This subsection corresponds with 40 CFR 141.24(g)(8), the effectiveness of which expired on January 1, 1993. Although USEPA has not repealed this provision, the Board has done so to avoid confusion. This statement maintains structural integrity with USEPA rules.

- i) Compliance with Section 611.311(a) is determined based on the results of running annual average of quarterly sampling for each sampling location. If one location's average is greater than the MCL, then the CWS or NTNWS is deemed to be out of compliance. If a CWS or NTNWS has a distribution system separable from other parts of the distribution system with no interconnections, only that part of the system that exceeds any MCL as specified in Section 611.311(a) is deemed out of compliance. The Agency shall, by SEP, reduce the public notice requirement to that portion of the CWS that is out of compliance. If any one sample result would cause the annual average to be exceeded, then the CWS is deemed to be out of compliance immediately. For CWS suppliers that only take one sample per location because none of the Phase I VOCs were detected, compliance is based on that one sample.

- j) Analysis under this Section must be conducted using the following methods or alternatives approved pursuant to Section 611.480. These methods are contained in USEPA Organic Methods, incorporated by reference in Section 611.102:

- 1) Method 502.1.
- 2) Method 503.1.
- 3) Method 524.1.
- 4) Method 524.2.
- 5) Method 502.2.

- k) Analysis under this Section must only be conducted by laboratories that have received conditional approval by the Agency, pursuant to Section 611.490, according to the following conditions:

- 1) To receive conditional approval to conduct analyses for the

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Phase I VOCs, except vinyl chloride, the laboratory shall:

- A) Analyze performance evaluation samples that include these substances provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c)(3).

- B) Achieve the quantitative acceptance limits under subsection (k)(1)(C) or (k)(1)(D) below for at least six of the Phase I VOCs, except vinyl chloride.

- C) Achieve quantitative results on the analyses performed under subsection (k)(1)(A) above that are within ± 20 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is greater than or equal to 0.010 mg/L.

- D) Achieve quantitative results on the analyses performed under subsection (k)(1)(A) above that are within ± 40 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is less than 0.010 mg/L.

- E) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, App. B, incorporated by reference in Section 611.102.

- F) Be currently approved by the Agency for the analyses of THMs under Subpart P of this Part.

- 2) To receive conditional approval for vinyl chloride, the laboratory shall:

- A) Analyze performance evaluation samples provided by the Agency. (See 35 Ill. Adm. Code 183.125(c)(3).)

- B) Achieve quantitative results on the analyses performed under subsection (k)(2)(A) above that are within ± 40 percent of the actual amount of vinyl chloride in the performance evaluation sample.

- C) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, App. B, incorporated by reference in Section 611.102.

- D) Receive approval or be currently approved by the Agency under subsection (k)(1) above.

- 1) The Agency shall, by SEP, increase required monitoring where it determines that it is necessary to do so to detect variations within the CWS.

- m) This subsection corresponds with 40 CFR 141.24(g)(14), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

- en) Each approved laboratory shall determine the method detection limit (MDL), as defined in 40 CFR 136, App. B, incorporated by

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reference in Section 611.102, at which it is capable of detecting each of the Phase I VOCs. The acceptable MDL is 0.0005 mg/L. This concentration is the detection level for purposes of subsections (e), (f), (g) and (h) above.

BOARD NOTE: Derived from 40 CFR 141.24(g) (19912).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611.648 Phase II Synthetic Organic Contaminants

Analysis of the Phase II SOCs for the purposes of determining compliance with the MCL must be conducted as follows:

a) Definitions. As used in this Section:

"Detect or detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means the level of the contaminant of interest that is specified in subsection (r) below.

BOARD NOTE: This is a "trigger level" for Phase II SOCs inasmuch as it prompts further action. The use of the term "detect" or "detection" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit".

b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (q) below.

BOARD NOTE: USEPA stated the effective date of the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfonate at 57 Fed. Reg. 22178 (May 27, 1991). Section 611.31(c) includes this stay. However, despite the stay of the effectiveness of the MCLs for these three SOCs, suppliers must monitor for them.

c) Sampling points.

1) Sampling points for GWSS. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:

- A) Each entry point after treatment; or
- B) Points in the distribution system that are representative of each source.

3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source,

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treatment plant, or within the distribution system.

- 4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) above derived from 40 CFR 141.24(h)(1) through (h)(3) (19912).

d) Monitoring frequency:

- 1) Each GWS and NTNCWS supplier shall take four consecutive quarterly samples for each of the Phase II SOCs during each compliance period, beginning in the three-year compliance period starting January 1, 1993.
- 2) Suppliers serving more than 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of two quarterly samples in one year of each subsequent three-year compliance period.
- 3) Suppliers serving less than or equal to 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of one sample during each subsequent three-year compliance period.

e) Reduction to annual monitoring frequency. A GWS or NTNCWS supplier may apply to the Agency for a SEP that releases it from the requirements of subsection (d) above. A SEP from the requirement of subsection (d) above shall last for only a single three-year compliance period.

f) Vulnerability Assessment. The Agency shall grant a SEP from the requirements of subsection (d) above based on consideration of the factors set forth at Section 611.110(e).

g) If one of the Phase II SOCs is detected in any sample, then:

- 1) The supplier shall monitor quarterly for the contaminant at each sampling point that resulted in a detection.

2) Annual monitoring.

A) A supplier may request that the Agency grant a SEP pursuant to Section 610.110 that reduces the monitoring frequency to annual.

B) A request for a SEP must include the following minimal information:

- i) For a GWS, two quarterly samples.
 - ii) For a SWS or mixed system, four quarterly samples.
- C) The Agency shall grant a SEP that allows annual

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monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.

- D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (g)(1) above if it detects any Phase II SOC.

- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.

- 4) Suppliers that have three consecutive annual samples with no detection of a contaminant at a sampling point may apply to the Agency for a SEP with respect to that point, as specified in subsections (e) and (f) above.

- 5) Monitoring for related contaminants.

- A) If monitoring results in detection of one or more of the related contaminants listed in subsection (g)(5)(B) below, subsequent monitoring shall analyze for all the related compounds in the respective group.

- B) Related contaminants:

- i) first group:

aldicarb
aldicarb sulfone
aldicarb sulfoxide

- ii) second group:

heptachlor
heptachlor epoxide,

- h) Quarterly monitoring following MCL violations.

- 1) Suppliers that violate an MCL for one of the Phase II SOCs, as determined by subsection (k) below, shall monitor quarterly for that contaminant at the sampling point where the violation occurred, beginning the next quarter after the violation.

- 2) Annual monitoring.

- A) A supplier may request that the Agency grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to annual.

- B) A request for a SEP must include, at a minimum, the results from four quarterly samples.

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- C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.

- D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (h)(1) above if it detects any Phase II SOC.

- E) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.

- i) Confirmation samples.

- 1) If any of the Phase II SOCs are detected in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.

- 2) Averaging is as specified in subsection (k) below.

- 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.

- j) This subsection corresponds with 40 CFR 141.24(h)(10), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

- k) Compliance with the MCLs for the Phase II SOCs shall be determined based on the analytical results obtained at each sampling point.

- 1) For suppliers that are conducting monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.

- A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.

- B) If the initial sample or a subsequent sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.

- C) Any samples below the detection limit must be calculated as zero for purposes of determining the annual average.

- 2) If monitoring is conducted annually or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of

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compliance is based on the average of two samples.

- 3) Public notice for a supplier out of compliance is governed by Subpart T of this Part.

BOARD NOTE: Derived from 40 CFR 141.24(h)(11) (19942).

- 1) Analysis for Phase II SOCs must be conducted using the following methods. These methods are contained in USEPA Organic Methods for the Determination of Organic Compounds in Drinking Water, incorporated by reference in Section 611.102.

- 1) Method 504, "1,2-Dibromoethane (EDB) and 1,2-Dibromo-3-chloropropane (DBCP) in Water by Microextraction and Gas Chromatography." Method 504 can be used to measure 1,2-Dibromo-3-chloropropane (dibromochloropropane or DBCP) and 1,2-Dibromoethane (ethylene dibromide or EDB).

- 2) Method 505, "Analysis of Organohalide Pesticides and Commercial Polychlorinated Biphenyl Products (Aroclors) in Water by Microextraction and Gas Chromatography." Method 505 can be used to measure alachlor, atrazine, chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, lindane, methoxychlor, and toxaphene. Method 505 can be used as a screen for PCBs.

- 3) Method 507, "Determination of Nitrogen- and Phosphorus-Containing Pesticides in Ground Water by Gas Chromatography with a Nitrogen-Phosphorus Detector." Method 507 can be used to measure alachlor and atrazine.

- 4) Method 508, "Determination of Chlorinated Pesticides in Water by Gas Chromatography with an Electron Capture Detector." Method 508 can be used to measure chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, lindane, methoxychlor, and toxaphene. Method 508 can be used as a screen for PCBs.

- 5) Method 508A, "Screening for Polychlorinated Biphenyls by Perchlorination and Gas Chromatography." Method 508A is used to quantitate PCBs as decachlorobiphenyl if detected in Methods 505 or 508.

- 6) Method 515.1, revision 5.0 (May, 1991), "Determination of Chlorinated Acids in Water by Gas Chromatography with an Electron Capture Detector." Method 515.1 can be used to measure 2,4-D, 2,4,5-TP (Silvex) and pentachlorophenol.

- 7) Method 525.1, revision 3.0 (May, 1991), "Determination of Organic Compounds in Drinking Water by Liquid-Solid Extraction and Capillary Column Gas Chromatography/Mass Spectrometry." Method 525 can be used to measure alachlor, atrazine, chlordane, heptachlor, heptachlor epoxide, lindane, methoxychlor, and pentachlorophenol.

- 8) Method 531.1, "Measurement of N-Methyl Carbamoyloximes and N-Methyl Carbamates in Water by Direct Aqueous Injection HPLC with Post-Column Derivatization." Method 531.1 can be

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used to measure aldicarb, aldicarb sulfoxide, aldicarb sulfone, and carbofuran.

- m) Analysis for PCBs must be conducted as follows:

- 1) Each supplier that monitors for PCBs shall analyze each sample using either USEPA Organic Methods, Method 505 or Method 508.

- 2) If PCBs are detected in any sample analyzed using USEPA Organic Methods, Methods 505 or 508, the supplier shall reanalyze the sample using Method 508A to quantitate the individual Aroclors (as decachlorobiphenyl).

- 3) Compliance with the PCB MCL must be determined based upon the quantitative results of analyses using USEPA Organic Methods, Method 508A.

- n) Use of existing data.

- 1) The Agency shall allow the use of data collected after January 1, 1990 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.

- 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning January 1, 1993 if it determines that the supplier did not detect any Phase I VOC or Phase II VOC using existing data allowed pursuant to subsection (n)(1) above.

- o) The Agency shall issue a SEP that increases the number of sampling points or the frequency of monitoring if it determines that this is necessary to detect variations within the PWS due to such factors as fluctuations in contaminant concentration due to seasonal use or changes in the water source.

BOARD NOTE: At 40 CFR 141.24(h)(15), USEPA uses the stated factors as non-limiting examples of circumstances that make additional monitoring necessary.

- p) This subsection corresponds with 40 CFR 141.24(h)(16), a USEPA provision that the Board has not adopted because it reserves enforcement authority to the state and would serve no useful function as part of the state's rules. This statement maintains structural consistency with USEPA rules.

- q) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.

- r) "Detection" means greater than or equal to the following concentrations for each contaminant:

- 1) for PCBs (Aroclors):
Aroclor Detection Limit (mg/L)

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|------|---------|
| 1016 | 0.00008 |
| 1221 | 0.02 |
| 1232 | 0.0005 |
| 1242 | 0.0003 |
| 1248 | 0.0001 |
| 1254 | 0.0001 |
| 1260 | 0.0002 |

2) for other Phase II SOCs:

| Contaminant | Detection Limit (mg/L) |
|----------------------------------|---------------------------|
| Alachlor | 0.0002 |
| Aldicarb | 0.0005 |
| Aldicarb sulfonide | 0.0005 |
| Aldicarb sulfone | 0.0008 |
| Atrazine | 0.0001 |
| Carbofuran | 0.0009 |
| Chlordane | 0.0002 |
| Dibromochloropropane (DBCP) | 0.00002 |
| 2,4-D | 0.0001 |
| Ethylene dibromide (EDB) | 0.00001 |
| Heptachlor | 0.0004 |
| Heptachlor epoxide | 0.0002 |
| Lindane | 0.0001 |
| Methoxychlor | 0.0001 |
| Polychlorinated biphenyls (PCBs) | 0.0001 |
| (as decachlorobiphenyl) | 0.0004 |
| Pentachlorophenol | 0.0001 |
| Toxaphene | 0.0002 |
| 2,4,5-TP (Silvex) | 0.0002 |

BOARD NOTE: Derived from 40 CFR 141.24(h) (19912).

s) Laboratory Certification.

- 1) Analyses under this section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions.
- 2) To receive certification to conduct analyses for the Phase II SOCs the laboratory must:
 - A) Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c) that include these substances; and
 - B) Achieve quantitative results on the analyses performed under subsection (s)(2)(A) above that are within the acceptance limits set forth in subsection (s)(2)(C) below.
 - C) Acceptance limits:

| | |
|----------|-----------------------|
| SOC | Acceptance Limits |
| Alachlor | ± 45% |
| Aldicarb | 2 standard deviations |

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| | |
|------------------------------|-----------------------|
| Aldicarb sulfone | 2 standard deviations |
| Aldicarb sulfonide | 2 standard deviations |
| Atrazine | ± 45% |
| Carbofuran | ± 45% |
| Chlordane | ± 45% |
| Dibromochloropropane (DBCP) | ± 40% |
| Ethylene dibromide (EDB) | ± 40% |
| Heptachlor | ± 45% |
| Heptachlor epoxide | ± 45% |
| Lindane | ± 45% |
| Methoxychlor | ± 45% |
| PCBs (as Decachlorobiphenyl) | 0-200% |
| Pentachlorophenol | ± 50% |
| Toxaphene | ± 45% |
| 2,4,5-TP (Silvex) | ± 50% |
| 2,4-D | ± 50% |

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611. Appendix A Mandatory Health Effects Information

- 1) Trichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that trichloroethylene is a health concern at certain levels of exposure. This chemical is a common metal cleaning and dry cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set forth the enforceable drinking water standard for trichloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 2) Carbon tetrachloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbon tetrachloride is a health concern at certain levels of exposure. This chemical was once a popular household cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for carbon tetrachloride at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.
- 3) 1,2-Dichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined

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that 1,2-dichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaning fluid for fats, oils, waxes and resins. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,2-dichloroethane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

4) Vinyl chloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that vinyl chloride is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been associated with significantly increased risks of cancer among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for vinyl chloride at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

5) Benzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that benzene is a health concern at certain levels of exposure. This chemical is used as a solvent and degreaser of metals. It is also a major component of gasoline. Drinking water contamination generally results from leaking underground gasoline and petroleum tanks or improper waste disposal. This chemical has been associated with significantly increased risks of leukemia among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in humans who are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for benzene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

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6) 1,1-Dichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1-dichloroethylene is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1-dichloroethylene at 0.007 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

7) Para-dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that para-dichlorobenzene is a health concern at certain levels of exposure. This chemical is a component of deodorizers, moth balls and pesticides. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for para-dichlorobenzene at 0.075 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

8) 1,1,1-Trichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,1-trichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaner and degreaser of metals. It generally gets into drinking water by improper waste disposal. This chemical has been shown to damage the liver, nervous system and circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the liver, nervous system and circulatory system. Chemicals which cause adverse effects among exposed industrial workers and in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1,1-trichloroethane at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

9) Fluoride. The U.S. Environmental Protection Agency requires that

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we send you this notice on the level of fluoride in your drinking water. The drinking water in your community has a fluoride concentration of _____ milligrams per liter (mg/L).

Federal regulations require that fluoride, which occurs naturally in your water supply, not exceed a concentration of 4.0 mg/L in drinking water. This is an enforceable standard called a Maximum Contaminant Level (MCL), and it has been established to protect the public health. Exposure to drinking water levels above 4.0 mg/L for many years may result in some cases of crippling skeletal fluorosis, which is a serious bone disorder.

Federal law also requires that we notify you when monitoring indicates that the fluoride in your drinking water exceeds 2.0 mg/L. This is intended to alert families about dental problems that might affect children under nine years of age. The fluoride concentration of your water exceeds this federal guideline.

Fluoride in children's drinking water at levels of approximately 1 mg/L reduces the number of dental cavities. However, some children exposed to levels of fluoride greater than about 2.0 mg/L may develop dental fluorosis. Dental fluorosis, in its moderate and severe forms, is a brown staining and/or pitting of the permanent teeth.

Because dental fluorosis occurs only when developing teeth (before they erupt from the gums) are exposed to elevated fluoride levels, households without children are not expected to be affected by this level of fluoride. Families with children under the age of nine are encouraged to seek other sources of drinking water for their children to avoid the possibility of staining and pitting.

Your water supplier can lower the concentration of fluoride in your water so that you will still receive the benefits of cavity prevention while the possibility of stained and pitted teeth is minimized. Removal of fluoride may increase your water costs. Treatment systems are also commercially available for home use. Information on such systems is available at the address given below. Low fluoride bottled drinking water that would meet all standards is also commercially available.

For further information, contact _____ at your water system.

BOARD NOTE: Derived from 40 CFR 141.32(e)(9) and 143.5 (19912).

Microbiological contaminants (for use when there is a violation of the treatment technique requirements for filtration and disinfection in Subpart B of this Part). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set enforceable requirements for treating

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drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. Drinking water which is treated to meet USEPA requirements is associated with little to none of this risk and should be considered safe.

11)

Total coliforms. (To be used when there is a violation of Section 611.325(a) and not a violation of Section 611.325(b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliforms are common in the environment and are generally not harmful themselves. The presence of these bacteria in drinking water, however, generally is a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and any associated headaches and fatigue. These organisms, however, are not just associated with disease-causing factors other than your drinking water. USEPA has set an enforceable drinking water standard for total coliforms to reduce the risk of these adverse health effects. Under this standard, no more than 5.0 percent of the samples collected during a month can contain these bacteria, except that systems collecting fewer than 40 samples/month that have one total coliform-positive sample per month are not violating the standard. Drinking water which meets this standard is usually not associated with a health risk from disease-causing bacteria and should be considered safe.

12)

Fecal Coliforms/E. coli. (To be used when there is a violation of Section 611.325(b) or both Section 611.325(a) and (b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of fecal coliforms or E. coli is a serious health concern. Fecal coliforms and E. coli are generally not harmful themselves, but their presence in drinking water is serious because they usually are associated with sewage or animal wastes. The presence of these bacteria in drinking water is generally a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for fecal coliforms and E. coli to reduce the risk of these adverse health effects. Under this standard all drinking water samples must be free of these bacteria. Drinking water which meets this standard is associated with little or none of this risk and should be considered safe. State and local health authorities recommend that consumers take the following precautions: [To be inserted by the public water system, according to instruction from State or local authorities].

13)

This section corresponds with 40 CFR 141.32(e)(13), reserved by USEPA. This statement maintains structural consistency with USEPA.

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Water-Lead. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lead is a health concern at certain exposure levels. Materials that contain lead have frequently been used in the construction of water supply distribution systems, and plumbing systems in private homes and other buildings. The most commonly found materials include service lines, pipes, brass and bronze fixtures, and solder and fluxes. Lead in these materials can contaminate drinking water as a result of the corrosion that takes place when water comes into contact with these materials. Lead can cause a variety of adverse health effects in humans. At relatively low levels of exposure, these effects may include interference with red blood cell chemistry, delays in normal physical and mental development in babies and young children, slight deficits in the attention span, hearing, and learning abilities of children, and slight increases in the blood pressure of some adults. USEPA's national primary drinking water regulation requires all public water systems to optimize corrosion control to minimize lead contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have lead concentrations below 15 parts per billion (ppb) in more than 90% of tap water samples (the USEPA "action level") have optimized their corrosion control treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove lead in source water is needed. Any water system that continues to exceed the action level after installation of corrosion control and/or source water treatment must eventually replace all lead service lines contributing in excess of 15 ppb of lead to drinking water. Any water system that exceeds the action level must also undertake a public education program to inform consumers of ways they can reduce their exposure to potentially high levels of lead in drinking water.

This subsection corresponds with 40 CFR 141.32(e)(14), reserved by USEPA. This statement maintains structural consistency with USEPA Water-Copper. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that copper is a health concern at certain exposure levels. Copper, a reddish-brown metal, is often used to plumb residential and commercial structures that are connected to water distribution systems. Copper contaminating drinking water as a corrosion by-product occurs as the result of the corrosion of copper pipes that remain in contact with water for a prolonged period of time. Copper is an essential nutrient, but at high doses it has been shown to cause stomach and intestinal distress, liver and kidney damage, and anemia. Persons with Wilson's disease may be at a higher risk of health effects due to copper than the general public. USEPA's national primary drinking water regulation requires all public water systems to install optimal corrosion control to minimize copper contamination resulting from the corrosion of plumbing materials. Public water systems serving 50,000 people or fewer that have copper concentrations below 1.3 parts per million (ppm) in more than 90% of tap water samples (the USEPA "action level") are not required to install or improve their treatment. Any water system that exceeds the action level must also monitor their source water to determine whether treatment to remove copper in source water is needed.

14)

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15)

Asbestos. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that asbestos fibers greater than 10 micrometers in length are a health concern at certain levels of exposure. Asbestos is a naturally occurring mineral. Most asbestos fibers in drinking water are less than 10 micrometers in length and occur in drinking water from natural sources and from corroded asbestos-cement pipes in the distribution system. The major uses of asbestos were in the production of cements, floor tiles, paper products, paint, and caulking; in transportation-related applications; and in the production of textiles and plastics. Asbestos was once a popular insulating and fire retardant material. Inhalation studies have shown that various forms of asbestos have produced lung tumors in laboratory animals. The available information on the risk of developing gastrointestinal tract cancer associated with the ingestion of asbestos from drinking water is limited. Ingestion of intermediate-range chrysotile asbestos fibers greater than 10 micrometers in length is associated with causing benign tumors in male rats. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for asbestos at 7 million long fibers per liter to reduce the potential risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the USEPA standard is associated with little to none of this risk and should be considered safe with respect to asbestos.

16)

This subsection corresponds with 40 CFR 141.32(e)(16), reserved by USEPA. This statement maintains structural consistency with USEPA Water-Barium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that barium is a health concern at certain levels of exposure. This inorganic chemical occurs naturally in some aquifers that serve as sources of ground-water. It is also used in oil and gas drilling muds, automotive paints, bricks, tiles, and jet fuels. It generally gets into drinking water after dissolving from naturally occurring minerals in the ground. This chemical may damage the heart and vascular system, and is associated with high blood pressure in laboratory animals such as rats exposed to high levels during their lifetimes. In humans, USEPA believes that effects from barium on blood pressure should not occur below 2 parts per million (ppm) in drinking water. USEPA has set the drinking water standard for barium at 2 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to barium.

17)

Cadmium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that cadmium is a health concern at certain levels of exposure. Food and the smoking of tobacco are common sources of general exposure. This inorganic metal is a contaminant in the metals used to galvanize pipe. It generally gets into water by corrosion of galvanized pipes or by improper waste disposal. This chemical has been shown to damage the kidney in animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered

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damage to the kidney. USEPA has set the drinking water standard for cadmium at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cadmium.

- 18) Chromium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chromium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in the ground and is often used in the electroplating of metals. It generally gets into water from runoff from old mining operations and improper waste disposal from plating operations. This chemical has been shown to damage the kidney, nervous system, and the circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels. Some humans who were exposed to high levels of this chemical suffered liver and kidney damage, dermatitis and respiratory problems. USEPA has set the drinking water standard for chromium at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chromium.

- 19) Mercury. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that mercury is a health concern at certain levels of exposure. This inorganic metal is used in electrical equipment and some water pumps. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the kidney of laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. USEPA has set the drinking water standard for mercury at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to mercury.

- 20) Nitrate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrate poses an acute health concern at certain levels of exposure. Nitrate is used in fertilizer and is found in sewage and wastes from human and/or farm animals and generally gets into drinking water from those activities. Excessive levels of nitrate in drinking water have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrate is converted to nitrite in the body. Nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly in infants. In most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 10 parts per million (ppm)

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for nitrate to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrite at 1 ppm. To allow for the fact that the toxicity of nitrate and nitrite are additive, USEPA has also established a standard for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrate.

- 21) Nitrite. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrite poses an acute health concern at certain levels of exposure. This inorganic chemical is used in fertilizers and is found in sewage and wastes from humans and/or farm animals and generally gets into drinking water as a result of those activities. While excessive levels of nitrite in drinking water have not been observed, other sources of nitrite have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly. However, in most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 1 part per million (ppm) for nitrite to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrate (converted to nitrite in humans) at 10 ppm and for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrite.

- 22) Selenium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that selenium is a health concern at certain high levels of exposure. Selenium is also an essential nutrient at low levels of exposure. This inorganic chemical is found naturally in food and soils and is used in electronics, photocopy operations, the manufacture of glass, chemicals, drugs, and as a fungicide and a feed additive. In humans, exposure to high levels of selenium over a long period of time has resulted in a number of adverse health effects, including a loss of feeling and control in the arms and legs. USEPA has set the drinking water standard for selenium at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to selenium.

- 23) Acrylamide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that acrylamide is a health concern at certain levels of exposure. Polymers made from acrylamide are sometimes used to treat water supplies to remove particulate contaminants. Acrylamide has been shown to cause cancer in laboratory animals such as rats and mice

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when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. Sufficiently large doses of acrylamide are known to cause neurological injury. USEPA has set the drinking water standard for acrylamide using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of acrylamide in the polymer and the amount of the polymer which may be added to drinking water to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to acrylamide.

- 24) Alachlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that alachlor is a health concern at certain levels of exposure. This organic chemical is a widely used pesticide. When soil and climatic conditions are favorable, alachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for alachlor at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to alachlor.

- 25) ~~This subsection corresponds with 40-CFR 141.32(e)(25), reserved by USEPA. This statement maintains structural consistency with USEPA rules-Aldicarb. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that Aldicarb is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), Aldicarb may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for Aldicarb at 0.003 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to Aldicarb.~~

- 26) ~~This subsection corresponds with 40-CFR 141.32(e)(26), reserved by USEPA. This statement maintains structural consistency with USEPA rules-Aldicarb sulfonate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that Aldicarb sulfonate is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfonate in groundwater is primarily a breakdown product of Aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), Aldicarb sulfonate may leach into groundwater after normal agricultural applications to crops such~~

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as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for Aldicarb sulfonate at 0.004 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to Aldicarb sulfonate.

- 27) ~~This subsection corresponds with 40-CFR 141.32(e)(27), reserved by USEPA. This statement maintains structural consistency with USEPA rules-Aldicarb sulfone. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that Aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone in groundwater is primarily a breakdown product of Aldicarb. Under certain soil and climatic conditions (e.g., sandy soil and high rainfall), Aldicarb sulfone may leach into groundwater after normal agricultural applications to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. USEPA has set the drinking water standard for Aldicarb sulfone at 0.002 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to Aldicarb sulfone.~~

- 28) Atrazine. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that atrazine is a health concern at certain levels of exposure. This organic chemical is a herbicide. When soil and climatic conditions are favorable, atrazine may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to affect offspring of rats and the heart of dogs. USEPA has set the drinking water standard for atrazine at 0.003 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to atrazine.

- 29) Carbofuran. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbofuran is a health concern at certain levels of exposure. This organic chemical is a pesticide. When soil and climatic conditions are favorable, carbofuran may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to damage the nervous and reproductive systems of laboratory animals such as rats and mice exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the nervous system. Effects on the nervous system are generally rapidly reversible. USEPA has set the drinking water standard for carbofuran at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to carbofuran.

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30) Chlordane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chlordane is a health concern at certain levels of exposure. This organic chemical is a pesticide used to control termites. Chlordane is not very mobile in soils. It usually gets into drinking water after application near water supply intakes or wells. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for chlordane at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chlordane.

31) Dibromochloropropane (DBCP). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, DBCP may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for DBCP at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to DBCP.

32) o-Dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that o-dichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent in the production of pesticides and dyes. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and the blood cells of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, nervous system, and circulatory system. USEPA has set the drinking water standard for o-dichlorobenzene at 0.6 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to o-dichlorobenzene.

33) cis-1,2-Dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that cis-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has

been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for cis-1,2-dichloroethylene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cis-1,2-dichloroethylene.

34) trans-1,2-Dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that trans-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and the circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for trans-1,2-dichloroethylene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to trans-1,2-dichloroethylene.

35) 1,2-Dichloropropane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloropropane is a health concern at certain levels of exposure. This organic chemical is used as a solvent and pesticide. When soil and climatic conditions are favorable, 1,2-dichloropropane may get into drinking water by runoff into surface water or by leaching into ground-water. It may also get into drinking water through improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for 1,2-dichloropropane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,2-dichloropropane.

36) 2,4-D. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4-D is a health concern at certain levels of exposure. This organic chemical is used as a herbicide and to control algae in reservoirs. When soil and climatic conditions are favorable, 2,4-D may get into drinking

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water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4-D at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4-D.

- 37) Epichlorohydrin. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that epichlorohydrin is a health concern at certain levels of exposure. Polymers made from epichlorohydrin are sometimes used in the treatment of water supplies as a flocculent to remove particulates. Epichlorohydrin generally gets into drinking water by improper use of these polymers. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for epichlorohydrin using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of epichlorohydrin in the polymer and the amount of the polymer which may be added to drinking water as a flocculent to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to epichlorohydrin.

- 38) Ethylbenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that ethylbenzene is a health concern at certain levels of exposure. This organic chemical is a major component of gasoline. It generally gets into water by improper waste disposal or leaking gasoline tanks. This chemical has been shown to damage the kidney, liver, and nervous system of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for ethylbenzene at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to ethylbenzene.

- 39) Ethylene dibromide (EDB). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that EDB is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, EDB may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for EDB at 0.00005 parts per

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million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to EDB.

- 40) Heptachlor. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor at 0.0004 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor.

- 41) Heptachlor epoxide. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor epoxide is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor epoxide may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor epoxide at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor epoxide.

- 42) Lindane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lindane is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, lindane may get into drinking water by runoff into surface water or by leaching into ground-water. This

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chemical has been shown to damage the liver, kidney, nervous system, and immune system of laboratory animals such as rats, mice and dogs exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system and circulatory system. USEPA has established the drinking water standard for lindane at 0.0002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to lindane.

- 43) Methoxychlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that methoxychlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, methoxychlor may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. USEPA has set the drinking water standard for methoxychlor at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to methoxychlor.

- 44) Monochlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that monochlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. USEPA has set the drinking water standard for monochlorobenzene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to monochlorobenzene.

- 45) Polychlorinated biphenyls (PCBs). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that polychlorinated biphenyls (PCBs) are a health concern at certain levels of exposure. These organic chemicals were once widely used in electrical transformers and other industrial equipment. They generally get into drinking water by improper waste disposal or leaking electrical industrial equipment. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for PCBs at 0.0005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to PCBs.

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46)

~~This objection corresponds with 40 CFR 141.32(e)(46), reserved by USEPA. This statement maintains structural consistency with USEPA twice-Pentachlorophenol. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that pentachlorophenol is a health concern at certain levels of exposure. This organic chemical is widely used as a wood preservative, herbicide, disinfectant, and defoliant. It generally gets into drinking water by runoff into surface water or leaching into groundwater. This chemical has been shown to produce adverse reproductive effects and to damage the liver and kidneys of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the liver and kidneys. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for pentachlorophenol at 0.001 parts per million (ppm) to reduce the risk of adverse health effects. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to pentachlorophenol.~~

47)

Styrene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that styrene is a health concern at certain levels of exposure. This organic chemical is commonly used to make plastics and is sometimes a component of resins used for drinking water treatment. Styrene may get into drinking water from improper waste disposal. This chemical has been shown to damage the liver and nervous system in laboratory animals when exposed at high levels during their lifetimes. USEPA has set the drinking water standard for styrene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to styrene.

48)

Tetrachloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that tetrachloroethylene is a health concern at certain levels of exposure. This organic chemical has been a popular solvent, particularly for dry cleaning. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for tetrachloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to tetrachloroethylene.

49)

Toluene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that

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toluene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and in the manufacture of gasoline for airplanes. It generally gets into water by improper waste disposal or leaking underground storage tanks. This chemical has been shown to damage the kidney, nervous system, and circulatory system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, kidney and nervous system. USEPA has set the drinking water standard for toluene at 1 part per million (ppm). Protecting against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to toluene.

50) Toxaphene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toxaphene is a health concern at certain levels of exposure. This organic chemical was once a pesticide widely used on cotton, corn, soybeans, pineapples and other crops. When soil and climatic conditions are favorable, toxaphene may get into drinking water by runoff into surface water or by leaching into ground-water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for toxaphene at 0.003 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to toxaphene.

51) 2,4,5-TP. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4,5-TP is a health concern at certain levels of exposure. This organic chemical is used as a herbicide. When soil and climatic conditions are favorable, 2,4,5-TP may get into drinking water by runoff into surface water or by leaching into groundwater. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4,5-TP at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4,5-TP.

52) Xylenes. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that xylene is a health concern at certain levels of exposure. This organic chemical is used in the manufacture of gasoline for airplanes and as a solvent for pesticides, and as a cleaner and degreaser of metals. It usually gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and dogs

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exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for xylene at 10 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to xylene.

BOARD NOTE: Derived from 40 CFR 141.32(e) (19932).

(Source: Amended at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611-Appendix E Mandatory Lead Public Education Information

1) INTRODUCTION

The United States Environmental Protection Agency (EPA) and (insert name of water supplier) are concerned about lead in your drinking water. Although most homes have very low levels of lead in their drinking water, some homes in the community have lead levels above the EPA action level of 15 parts per billion (ppb), or 0.015 milligrams of lead per liter of water (mg/L). Under Federal law we are required to have a program in place to minimize lead in your drinking water by (insert date when corrosion control will be completed for your system). This program includes corrosion control treatment, source water treatment, and public education. We are also required to replace each lead service line that we control if the line contributes lead concentrations of more than 15 ppb after we have completed the comprehensive treatment program. If you have any questions about how we are carrying out the requirements of the lead regulation please give us a call at (insert water system's phone number). This brochure explains the simple steps you can take to protect you and your family by reducing your exposure to lead in drinking water.

2) HEALTH EFFECTS OF LEAD

Lead is a common metal found throughout the environment in lead-based paint, air, soil, household dust, food, certain types of pottery porcelain and pewter, and water. Lead can pose a significant risk to your health if too much of it enters your body. Lead builds up in the body over many years and can cause damage to the brain, red blood cells and kidneys. The greatest risk is to young children and pregnant women. Amounts of lead that won't hurt adults can slow down normal mental and physical development of growing bodies. In addition, a child at play often comes into contact with sources of lead contamination -- like dirt and dust -- that rarely affect an adult. It is important to wash children's hands and toys often, and to try to make sure they only put food in their mouths.

3) LEAD IN DRINKING WATER

A) Lead in drinking water. Although rarely the sole cause of lead poisoning, can significantly increase a person's total lead exposure, particularly the exposure of infants who drink baby formulas and concentrated juices that are mixed with water. The EPA estimates that drinking water can make up 20 percent or more of a person's total exposure to lead.

B) Lead is unusual among drinking water contaminants in that it seldom occurs naturally in water supplies like rivers and lakes.

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Lead enters drinking water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipe, brass and chrome plated brass faucets, and in some cases, pipes made of lead that connect your house to the water main (service lines). In 1986, Congress banned the use of lead solder containing greater than 0.2% lead, and restricted the lead content of faucets, pipes and other plumbing materials to 8.0%.

- C1 When water stands in lead pipes or plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn from the tap in the morning, or later in the afternoon after returning from work or school, can contain fairly high levels of lead.

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STEPS YOU CAN TAKE IN THE HOME TO REDUCE EXPOSURE TO LEAD IN DRINKING WATER

- A1 Despite our best efforts mentioned earlier to control water corrosivity and remove lead from the water supply, lead levels in some homes or buildings can be high. To find out whether you need to take action in your own home, have your drinking water tested to determine if it contains excessive concentrations of lead. Testing the water is essential because you cannot see, taste, or smell lead in drinking water. Some local laboratories that can provide this service are listed at the end of this booklet. For more information on having your water tested, please call [insert phone number of water system].

- B1 If a water test indicates that the drinking water drawn from a tap in your home contains lead above 15 ppb, then you should take the following precautions:

- i1 Let the water run from the tap before using it for drinking or cooking any time the water in a faucet has gone unused for more than six hours. The longer water resides in your home's plumbing the more lead it may contain. Flushing the tap means running the cold water faucet until the water gets noticeably colder, usually about 15-30 seconds. If your house has a lead service line to the water main, you may have to flush the water for a longer time, perhaps one minute, before drinking. Although toilet flushing or showering flushes water through a portion of your home's plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your family's health. It usually uses less than one or two gallons of water and costs less than [insert a cost estimate based on flushing two times a day for 30 days] per month. To conserve water, fill a couple of bottles for drinking water after flushing the tap, and whenever possible use the first flush water to wash the dishes or water the plants. If you live in a high-rise building, letting the water flow before using it may not work to lessen your risk from lead. The plumbing systems have more, and sometimes larger pipes than smaller buildings. Ask your landlord for help in locating the source of the lead and for advice on

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reducing the lead level.

- ii1 Try not to cook with, or drink water from the hot water tap. Hot water can dissolve more lead more quickly than cold water. If you need hot water, draw water from the cold tap and heat it on the stove.

- iii1 Remove loose lead solder and debris from the plumbing materials installed in newly constructed homes, or homes in which the plumbing has recently been replaced, by removing the faucet strainers from all taps and running the water from 3 to 5 minutes. Thereafter, periodically remove the strainers and flush out any debris that has accumulated over time.

- iv1 If your copper pipes are joined with lead solder that has been installed illegally since it was banned in 1986, notify the plumber who did the work and request that he or she replace the lead solder with lead-free solder. Lead solder looks dull gray, and when scratched with a key looks shiny. In addition, notify your state [insert name of department responsible for enforcing the Safe Drinking Water Act in your State] about the violation.

- vi1 Determine whether or not the service line that connects your home or apartment to the water main is made of lead. The best way to determine if your service line is made of lead is by either hiring a licensed plumber to inspect the line or by contacting the plumbing contractor who installed the line. You can identify the plumbing contractor by checking the city's record of building permits which should be maintained in the files of the [insert name of department that issues building permits]. A licensed plumber can at the same time check to see if your home's plumbing contains lead solder, lead pipes, or pipe fittings that contain lead. The public water system that delivers water to your home should also maintain records of the materials located in the distribution system. If the service line that connects your dwelling to the water main contributes more than 15 ppb to drinking water, after our comprehensive treatment program is in place, we are required to replace the line. If the line is only partially controlled by the [insert name of the city, county, or water system that controls the line], we are required to provide you with information on how to replace your portion of the service line, and offer to replace that portion of the line at your expense and take a follow-up tap water sample within 14 days of the replacement. Acceptable replacement alternatives include copper, steel, iron, and plastic pipes.

- vii1 Have an electrician check your wiring. If grounding wires from the electrical system are attached to your pipes, corrosion may be greater. Check with a licensed electrician or your local electrical code to determine if your wiring can be grounded elsewhere. DO NOT attempt to change the wiring yourself because improper grounding can cause electrical shock and fire hazards.

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C1) The steps described above will reduce the lead concentrations in your drinking water. However, if a water test indicates that the drinking water coming from your tap contains lead concentrations in excess of 15 ppb after flushing, or after we have completed our actions to minimize lead levels, then you may want to take the following additional measures:

- i) Purchase or lease a home treatment device. Home treatment devices are limited in that each unit treats only the water that flows from the faucet to which it is connected, and all of the devices require periodic maintenance and replacement. Devices such as reverse osmosis systems or distillers can effectively remove lead from your drinking water. Some activated carbon filters may reduce lead levels at the tap, however all lead reduction claims should be investigated. Be sure to check the actual performance of a specific home treatment device before and after installing the unit.
- ii) Purchase bottled water for drinking and cooking.

D1) You can consult a variety of sources for additional information. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. State and local government agencies that can be contacted include:

- i) [Insert the name of city or county department of public utilities] at [insert phone number] can provide you with information about your community's water supply, and a list of local laboratories that have been certified by EPA for testing water quality;
- ii) [Insert the name of city or county department that issues building permits] at [insert phone number] can provide you with information about building permit records that should contain the names of plumbing contractors that plumbed your home; and
- iii) [Insert the name of the State Department of Public Health] at [insert phone number] or the [insert the name of the city or county health department] at [insert phone number] can provide you with information about the health effects of lead and how you can have your child's blood tested.

E1) The following is a list of some State-approved laboratories in your area that you can call to have your water tested for lead. [Insert names and phone numbers of at least two laboratories].

BOARD NOTE: Derived from 40 CFR 141.85(a) (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611. Table D Federal Effective Dates Number of Lead and Copper Monitoring Sites

| | | |
|---------------------------------|--|---|
| System Size (Persons Served) | Number of Sites (Standard Monitoring) | Number of Sites (Reduced Monitoring) |
| More than 100,000 | | 50 |

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| | | |
|-----------------|----|----|
| 10,001-100,000 | 60 | 30 |
| 3,301 to 10,000 | 40 | 20 |
| 501 to 3,300 | 20 | 10 |
| 101 to 500 | 10 | 5 |
| 100 or fewer | 5 | 5 |

BOARD NOTE: Derived from 40 CFR 141.86(c) (1992).

(Source: Former Section 611. Table D renumbered to Section 611. Table 2, and new Section added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611. Table E Lead and Copper Monitoring Start Dates

System Size First Six-month Monitoring Period Begins

(Persons served)

more than 50,000 Upon effective date¹

3,301 to 50,000 Upon effective date²

3,300 or fewer July 1, 1993

¹ USEPA sets forth a date of January 1, 1992.

² USEPA sets forth a date of July 1, 1992.

BOARD NOTE: Derived from 40 CFR 141.86(d)(1) (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611. Table F Number of Water Quality Parameter Sampling Sites

| | | |
|------------------|-----------------------|----------------------|
| System Size | Number of Sites | (Reduced Monitoring) |
| (Persons Served) | (Standard Monitoring) | |

more than 100,000 25

10,001 to 100,000 10

3,301 to 10,000 3

501 to 3,300 2

101 to 500 1

100 or fewer 1

BOARD NOTE: Derived from 40 CFR 141.87(a)(2) and (e) (1992).

(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)

Section 611. Table G Summary of Monitoring Section 611.357 Requirements for Water Quality Parameters

| Monitoring Period | Parameters ² | Location | Frequency |
|---|--|---|----------------|
| Initial Monitoring | pH, alkalinity, orthophosphate, or silica ³ , calcium, conductivity, temperature. | Taps and at entry point(s) to distribution system | Every 6 months |
| After Installation of Corrosion Control | pH, alkalinity, orthophosphate or silica ⁴ , calcium | Taps | Every 6 months |

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After Installation of Corrosion Control

pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual¹

Entry point(s) to distribution system

Biweekly

After State Specifies Parameter Values for Optimal Corrosion Control

pH, alkalinity, orthophosphate or silica, calcium⁴

Taps

Every 6 months

After State Specifies Parameter Values for Optimal Corrosion Control

pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual¹

Entry point(s) to distribution system

Biweekly

Reduced Monitoring

pH, alkalinity, orthophosphate or silica, calcium⁴

Taps

Every 6 months at a reduced number of sites

Reduced Monitoring

pH, alkalinity dosage rate and concentration (if alkalinity adjusted as part of corrosion control), inhibitor dosage rate and inhibitor residual¹

Entry point(s) to distribution system

Biweekly

¹ Table G is for illustrative purposes; consult the text of Section 611.357 for precise regulatory requirements.

² Small and medium-size systems have to monitor for water quality parameters only during monitoring periods in which the system exceeds the lead or copper action level.

³ Orthophosphate must be measured only when an inhibitor containing a phosphate compound is used. Silica must be measured only when an inhibitor containing silicate compound is used.

⁴ Calcium must be measured only when calcium carbonate stabilization is used as part of corrosion control.

⁵ Inhibitor dosage rates and inhibitor residual concentrations (orthophosphate or silica) must be measured only when an inhibitor is used.

BOARD NOTE: Derived from 40 CFR 141.87 (1992).

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(Source: Added at 17 Ill. Reg. 7796, effective May 18, 1993)
Section 611.311(a) Federal Effective Dates

The following are the effective dates of the federal MCLs:

Fluoride (40 CFR 141.60(b)(1))
(corresponding with Section 611.301(b))
October 2, 1987

Phase I VOCs (40 CFR 141.60(a)(1))
(corresponding with Section 611.311(a))
(benzene, carbon tetrachloride, p-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethylene, 1,1,1-trichloroethane, trichloroethylene, and vinyl chloride)
July 9, 1989

Lead and Copper (40 CFR, Subpart I)
(corresponding with Subpart G of this Part)
(lead and copper monitoring, reporting, and recordkeeping requirements of 40 CFR 141.86 through 141.91)
July 7, 1991

Phase II IOCs (40 CFR 141.60(b)(2))
(corresponding with Section 611.301(b))
(asbestos, barium, cadmium, chromium, mercury, nitrate, nitrite, and selenium)
July 30, 1992

Phase II VOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(a))
(o-dichlorobenzene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, 1,2-dichloropropane, ethylbenzene, monochlorobenzene, styrene, tetrachloroethylene, toluene, and xylenes (total))
July 30, 1992

Phase II SOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(c))
(alachlor, atrazine, carbofuran, chlordane, dibromochloropropane, ethylene dibromide, heptachlor, heptachlor epoxide, lindane, methoxychlor, polychlorinated biphenyls, toxaphene, 2,4-D, and 2,4,5-TP (Silvex))
July 30, 1992

Lead and Copper (40 CFR, Subpart I)
(corresponding with Subpart G of this Part)
(lead and copper corrosion control, water treatment, public education, and lead service line replacement requirements of 40 CFR 141.81 through 141.85)
December 7, 1992

Phase IIB IOC (40 CFR 141.60(b)(2))
(corresponding with Section 611.301(b))
(barium)
January 1, 1993

Phase IIB SOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(c))
(alachlor, aldicarb sulfone, aldicarb sulfoxide, and pentachlorophenol; USEPA stayed the effective date as to the MCLs for aldicarb, aldicarb sulfone, and aldicarb sulfoxide, but the monitoring requirements became effective January 1, 1993)
January 1, 1993

(Source: Renumbered from Section 611.311(a) and amended at 17 Ill. Reg. 7796, effective May 18, 1993)

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: SAMPLING AND MONITORING
- 2) Code Citation: 35 Ill. Adm. Code 605
- 3) Section Numbers: Adopted Action:
605.101 Repeal
605.102 Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111k, pars. 1017, 1017.5 and 1027 [415 ILCS 5/17, 5/17.5 and 5/27].
- 5) Effective Date of Amendments: May 18, 1993
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date filed in Board's principal office: Order adopted May 5, 1993.
- 9) Notice of Proposal Published in Illinois Register:
March 5, 1993, 17 Ill. Reg. 2682
- 10) Has JCAR issued a Statement of Objections to these rules? No.

Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111k, par. 1017.5 [415 ILCS 5/17.5]) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

Differences between proposal and final version:

None.
- 11) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111k, par. 1017.5 [415 ILCS 5/17.5]) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.
- 12) Will these amendments replace an emergency amendment currently in effect? No.
- 13) Are there any other amendments pending on this Part? No.
- 14) Summary and Purpose of amendments:

A more detailed description is contained in the Board's opinion of May 5, 1993 in R92-3, which Opinion is available from the address below.

During the course of discussions with the Illinois Environmental Protection Agency (Agency) and regulated community over assembly of the Phase IIB and lead and copper rules proposal, errors to existing

NOTICE OF ADOPTED AMENDMENTS

microbiological rules were cited to the Board. These revisit Sections 605.101 and 605.102, last amended in docket R88-26 (14 Ill. Reg. 16642 (Oct 5, 1990), effective September 20, 1990). The Agency stated that the addition of a sunset provision to Sections 605.101 and 605.102 was an error. These provisions pertain to microbiological monitoring and the language as amended in R88-26 causes them to expire when a supplier becomes subject to the filtration and disinfection requirements of 35 Ill. Adm. Code 611.Subpart B. The Agency goes further in noting that 35 Ill. Adm. Code 611.521 has now fully superseded these older provisions in Part 605. The Agency responded to a specific Board request for comment by stating that it was unaware of any public water system to which Sections 605.101 and 605.102 apply. We repeal both Sections.

- 16) Information and questions regarding this adopted amendments shall be directed to:

Michael J. McCambridge
Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60610
312-814-6924

The full text of the adopted amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 605
SAMPLING AND MONITORING

| | |
|----------------|---|
| Section | Frequency of Bacteriological Sampling (Repealed) |
| 605.101 | Minimum Allowable Monthly Samples for Bacteriological Analysis (Repealed) |
| 605.102 | Frequency of Chemical Analysis Sampling (Repealed) |
| 605.103 | Frequency of Trihalomethane Analysis Sampling (Repealed) |
| 605.104 | Monitoring Requirements for Radium-226, -228 and Gross Alpha Particle Activity (Repealed) |
| 605.105 | Monitoring Frequency for Radium-226, -228 and Gross Alpha Particle Activity (Repealed) |
| 605.106 | Monitoring Requirements for Man-Made Radioactivity (Repealed) |
| 605.107 | Monitoring Frequency for Man-Made Radioactivity (Repealed) |
| 605.108 | Surface Water Supplies Additional Monitoring Requirements |
| 605.109 | Modification of Monitoring Requirements (Repealed) |
| 605.110 | References to Former Rules (Repealed) |
| 605.Appendix A | |

AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111½, pars. 1017 and 1027 [415 ILCS 5/17 and 27]).

SOURCES: Filed with Secretary of State January 1, 1978; amended at 2 ill. Reg. 36, p. 72, effective August 29, 1978; amended and recodified at 6 ill. Reg. 11497, effective September 14, 1982; amended at 6 ill. Reg. 14344, effective November 3, 1982; amended in R84-12 at 14 ill. Reg. 695, effective January 2, 1990; amended at 14 ill. Reg. 16642, effective September 20, 1990; amended in R84-14 at 14 ill. Reg. 7943, effective May 18, 1993.

Section 605.101 Frequency of Bacteriological Sampling (Repealed)

This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611. Subpart B as applicable to each supply.

representative samples of the finished water from the distribution system are to be submitted monthly by each supply owner—official custodian, or his authorized personnel to a certified laboratory for bacteriological analysis.

1) ~~The minimum number of samples to be submitted monthly is dependent upon the population served as shown in Section 605.102.~~

2) A greater number of samples may be required by the Environmental Protection Agency (Agency) to be analyzed each month.

b) The owner, official custodian, or authorized personnel of any community water supply which is exempt from chlorination pursuant to 35 Ill. Adm. Code 604.403 shall submit samples to a certified laboratory for bacteriological analysis at least twice a month. Each submission shall consist of the minimum number of samples

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shown in Section 605-102 plus raw water sample of a sufficient number to assure that each active well is sampled at least monthly.

c) ~~It shall be the responsibility of the supply to have the analyses performed either at its own certified laboratory or at any other certified laboratory. The agency may require that some or all of the monthly samples be submitted to its laboratories.~~

(Source: Repealed at 17 Ill. Reg. 7943, effective May 18 1993)

Section 605.102 Minimum Allowable Monthly Samples for Bacteriological Analysis (Repeated)

~~This Section applies until the effective date for the filtration and disinfection requirements of 35 Ill. Adm. Code 611. Subpart B as applicable to each supply.~~

| Population Served | Minimum number of Samples per Month |
|-------------------|--|
| 25 to 100 | 1 |
| 101 to 2,500 | 2 |
| 2,501 to 3,300 | 3 |
| 3,301 to 4,100 | 4 |
| 4,101 to 4,900 | 5 |
| 4,901 to 5,800 | 6 |
| 5,801 to 6,700 | 7 |
| 6,701 to 7,600 | 8 |
| 7,601 to 8,500 | 9 |
| 8,501 to 9,400 | 10 |
| 9,401 to 10,300 | 11 |
| 10,301 to 11,100 | 12 |
| 11,101 to 12,000 | 13 |
| 12,001 to 13,000 | 14 |
| 12,901 to 13,700 | 15 |
| 13,701 to 14,600 | 16 |
| 14,601 to 15,500 | 17 |
| 15,501 to 16,300 | 18 |
| 16,301 to 17,200 | 19 |
| 17,201 to 18,100 | 20 |
| 18,101 to 18,900 | 21 |
| 18,901 to 19,800 | 22 |
| 19,801 to 20,700 | 23 |
| 20,701 to 21,500 | 24 |
| 21,501 to 22,300 | 25 |
| 22,301 to 23,200 | 26 |
| 23,201 to 24,000 | 27 |
| 24,001 to 24,900 | 28 |
| 24,901 to 25,000 | 29 |
| 25,001 to 26,000 | 30 |
| 26,001 to 32,000 | 35 |
| 32,001 to 37,000 | 40 |
| 37,001 to 41,000 | 45 |
| 41,001 to 46,000 | 50 |
| 46,001 to 50,000 | 55 |
| 50,001 to 54,000 | 60 |

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- 1) The Heading of the Part:
Intermediate Care for the Developmentally Disabled Facilities Code
- 2) Code Citation: 77 Ill. Adm. Code 350
- 3) Section Numbers: Emergency Action:
350.330 Amendments
- 4) Statutory Authority:
Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4151-101 et seq.
[210 ILCS 45/1-101 et seq. (1992)]
- 5) Effective Date of Emergency Amendments:
May 6, 1993
- 6) If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:
N/A
- 7) Date Filed in Agency's Principal Office:
May 6, 1993
- 8) Reason for Emergency:

The Department of Public Health has adopted these amendments to implement a consent decree in the case of Protection and Advocacy [P & A] v. John R. Lumpkin. The settlement agreement, which was signed on February 16, 1993, requires the Department to adopt emergency amendments to Parts 300, 330, 350, and 390 of the Illinois Administrative Code. Protection and Advocacy, Inc., is an Illinois not-for-profit corporation that advocates for the rights of mentally ill individuals and persons with developmental disabilities. The Settlement Agreement concerns the Department's operation of the 24-hour hotline required by the Abused and Neglected Long-Term Care Facility Residents Reporting Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4161 et seq.) [210 ILCS 30/1 et seq.]. The Settlement Agreement requires the Department to use court-ordered procedures in operating the hotline; to categorize allegations of abuse, neglect, or other resident injury in a uniform fashion; to report other resident injuries to the Department in the same manner as reports of abuse or neglect; to file emergency

POLLUTION CONTROL BOARD

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| | |
|--------------------|-----|
| 54,001 to 59,000 | 65 |
| 59,001 to 64,000 | 70 |
| 64,001 to 69,000 | 75 |
| 69,001 to 74,000 | 80 |
| 74,001 to 79,000 | 85 |
| 79,001 to 84,000 | 90 |
| 84,001 to 89,000 | 95 |
| 89,001 to 94,000 | 100 |
| 94,001 to 99,000 | 105 |
| 99,001 to 104,000 | 110 |
| 104,001 to 109,000 | 115 |
| 109,001 to 114,000 | 120 |
| 114,001 to 119,000 | 125 |
| 119,001 to 124,000 | 130 |
| 124,001 to 129,000 | 135 |
| 129,001 to 134,000 | 140 |
| 134,001 to 139,000 | 145 |
| 139,001 to 144,000 | 150 |
| 144,001 to 149,000 | 155 |
| 149,001 to 154,000 | 160 |
| 154,001 to 159,000 | 165 |
| 159,001 to 164,000 | 170 |
| 164,001 to 169,000 | 175 |
| 169,001 to 174,000 | 180 |
| 174,001 to 179,000 | 185 |
| 179,001 to 184,000 | 190 |
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| 409,001 to 414,000 | 420 |
| 414,001 to 419,000 | 425 |
| 419,001 to 424,000 | 430 |
| 424,001 to 429,000 | 435 |
| 429,001 to 434,000 | 440 |
| 434,001 to 439,000 | 445 |
| 439,001 to 444,000 | 450 |
| 444,001 to 449,000 | 455 |
| 449,001 to 454,000 | 460 |
| 454,001 to 459,000 | 465 |
| 459,001 to 464,000 | 470 |
| 464,001 to 469,000 | 475 |
| 469,001 to 474,000 | 480 |
| 474,001 to 479,000 | 485 |
| 479,001 to 484,000 | 490 |
| 484,001 to 489,000 | 495 |
| 489,001 to 494,000 | 500 |

(Source: Repealed at 17 Ill. Reg. 7 9 4 3, effective May 18, 1993)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Amendments to Parts 300, 350, 350, and 390 to include expanded definitions of "abuse," "neglect," and "other resident injury"; and to handle as "anonymous" complaints wherein a named complainant cannot be located or proves to be fictitious.

9) A Complete Description of the Subjects and Issues Involved:

Section 350.330 - The definitions of "abuse" and "neglect" are being amended to include information required by the Settlement Agreement in the case of P & A v. Lumpkin. A definition of "Other Resident Injury" is added. The Department plans to propose identical amendments in accordance with the regular rulemaking requirements of the Illinois Administrative Procedure Act.

10) Are there any proposed amendments to this Part pending?

| Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|----------------------------|
| 350.1235 | New Section | 16 Ill. Reg. 15044 |
| 350.640 | Amendments | 16 Ill. Reg. 17500 |
| 350.175 | Amendments | 17 Ill. Reg. 1269 |
| 350.180 | Amendments | 17 Ill. Reg. 1269 |
| 350.270 | Amendments | 17 Ill. Reg. 1269 |
| 350.640 | Amendments | 17 Ill. Reg. 1269 |
| 350.680 | Amendments | 17 Ill. Reg. 1269 |
| 350.685 | Amendments | 17 Ill. Reg. 1269 |
| 350.3210 | Amendments | 17 Ill. Reg. 1269 |
| 350.3330 | Amendments | 17 Ill. Reg. 1269 |
| 350.Appendix A | Repealer | 17 Ill. Reg. 1269 |

11) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

12) Information and questions regarding this amendment shall be directed to:

Name: Gail M. DeVito
Address: Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson Street, Fifth Floor
Springfield, Illinois 62761
Telephone: (217) 782-6187

The full text of the emergency amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 350
INTERMEDIATE CARE FOR THE DEVELOPMENTALLY
DISABLED FACILITIES CODE

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AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 495, effective March 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 30, p. 1, effective July 28, 1980; amended at 5 Ill. Reg. 1657, effective February 4, 1981; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6453, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14544, effective November 8, 1982; amended at 6 Ill. Reg. 14675, effective November 15, 1982; amended at 6 Ill. Reg. 15556, effective December 15, 1982; amended at 7 Ill. Reg. 278, effective December 22, 1982; amended at 7 Ill. Reg. 1919 and 1945, effective January 28, 1983; amended at 7 Ill. Reg. 7963, effective July 1, 1983; amended at 7 Ill. Reg. 15817, effective November 15, 1983; amended at 7 Ill. Reg. 16984, effective December 14, 1983; amended at 8 Ill. Reg. 15574 and 15578 and 15581, effective August 15, 1984; amended at 8 Ill. Reg. 15935, effective August 17,

1984; amended at 8 Ill. Reg. 16980, effective September 5, 1984; codified at 8 Ill. Reg. 19806; amended at 8 Ill. Reg. 24214, effective November 29, 1984; amended at 8 Ill. Reg. 24680, effective December 7, 1984; amended at 9 Ill. Reg. 142, effective December 26, 1984; amended at 9 Ill. Reg. 331, effective December 28, 1984; amended at 9 Ill. Reg. 2964, effective February 25, 1985; amended at 9 Ill. Reg. 10876, effective July 1, 1985; amended at 11 Ill. Reg. 14795, effective October 1, 1987; amended at 11 Ill. Reg. 16830, effective October 1, 1987; amended at 12 Ill. Reg. 979, effective December 24, 1987; amended at 12 Ill. Reg. 16838, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18705, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6040, effective April 17, 1989; amended at 13 Ill. Reg. 19451, effective December 1, 1989; amended at 14 Ill. Reg. 14876, effective October 1, 1990; amended at 15 Ill. Reg. 466, effective January 1, 1991; amended at 16 Ill. Reg. 594, effective January 1, 1992; amended at 16 Ill. Reg. 13910, effective September 1, 1992; emergency amendment at 17 Ill. Reg. 2373, effective February 3, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2351, effective February 10, 1993; emergency amendment at 17 Ill. Reg. 7948, effective May 6, 1993, for a maximum of 150 days.

NOTE: Italics and capitalization denote statutory language.

Section 350.330
EMERGENCY

Definitions

The terms defined in this Section are terms that are used in one or more of the sets of licensing standards established by the Department to license various levels of long-term care. They are defined as follows:

ABUSE - ANY PHYSICAL OR MENTAL INJURY OR SEXUAL ASSAULT
INFLECTED ON A RESIDENT OTHER THAN BY ACCIDENTAL MEANS IN A
FACILITY. (Section 1-103 of the Act)

Abuse means:

Physical abuse refers to the infliction of injury on a resident that occurs other than by accidental means and that requires (whether or not actually given) medical attention.

Mental injury arises from the following types of conduct:

Verbal abuse refers to the use by a licensee, employee or agent of oral, written or gestured language that includes disparaging and derogatory terms to residents or within their hearing or seeing distance, regardless of their age, ability to comprehend or disability.

Mental abuse includes, but is not limited to, humiliation, harassment, threats of punishment or deprivation, or offensive physical contact by a licensee, employee or agent.

Sexual harassment or sexual coercion perpetrated by a licensee, employee or agent.

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Sexual assault.

ACCESS - THE RIGHT TO:

ENTER ANY FACILITY;
 COMMUNICATE PRIVATELY AND WITHOUT RESTRICTION WITH ANY RESIDENT WHO CONSENTS TO THE COMMUNICATION;
 SEEK CONSENT TO COMMUNICATE PRIVATELY AND WITHOUT RESTRICTION WITH ANY RESIDENT;
 INSPECT THE CLINICAL AND OTHER RECORDS OF A RESIDENT WITH THE EXPRESS WRITTEN CONSENT OF THE RESIDENT;
 OBSERVE ALL AREAS OF THE FACILITY EXCEPT THE LIVING AREA OF ANY RESIDENT WHO PROTESTS THE OBSERVATION. (Section 1-104 of the Act)

Act - as used in this Part, the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.).

Activity Program - a specific planned program of varied group and individual activities geared to the individual resident's needs and available for a reasonable number of hours each day.

Adaptive Behavior - the effectiveness or degree with which the individual meets the standards of personal independence and social responsibility expected of his age and cultural group.

Addition - any construction attached to the original building which increases the area or cubic content of the building.

Adequate - enough in either quantity or quality, as determined by a reasonable person familiar with the professional standards of the subject under review, to meet the needs of the residents of a facility under the particular set of circumstances in existence at the time of review.

Administrative Warning - a notice to a facility issued by the Department under Section 300.277 of this Part and Section 3-303.2 of the Act, which indicates that a situation, condition, or practice in the facility violates the Act or the Department's rules, but is not a type A or type B violation.

Administrator - the person who is directly responsible for the operation and administration of the facility, irrespective of the assigned title. (See Licensed Nursing Home Administrator.)

Advocate - a person who represents the rights and interests of an individual as though

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they were the person's own, in order to realize the rights to which the individual is entitled, obtain needed services, and remove barriers to meeting the individual's needs.

AFFILIATE MEANS:

WITH RESPECT TO A PARTNERSHIP, EACH PARTNER THEREOF.
 WITH RESPECT TO A CORPORATION, EACH OFFICER, DIRECTOR AND STOCKHOLDER THEREOF.

WITH RESPECT TO A NATURAL PERSON: ANY PERSON RELATED IN THE FIRST DEGREE OF KINSHIP TO THAT PERSON; EACH PARTNERSHIP AND EACH PARTNER THEREOF OF WHICH THAT PERSON OR ANY AFFILIATE OF THAT PERSON IS A PARTNER; AND EACH CORPORATION IN WHICH THAT PERSON OR ANY AFFILIATE OF THAT PERSON IS AN OFFICER, DIRECTOR OR STOCKHOLDER.
 (Section 1-106 of the Act)

Aide or Orderly - any person providing direct personal care, training or habilitation services to residents.

Alteration - any construction change or modification of an existing building which does not increase the area or cubic content of the building.

Ambulatory Resident - a person who is physically and mentally capable of walking without assistance, or is physically able with guidance to do so, including the ascent and descent of stairs.

APPLICANT - ANY PERSON MAKING APPLICATION FOR A LICENSE.
 (Section 1-107 of the Act)

Appropriate - term used to indicate that a requirement is to be applied according to the needs of a particular individual or situation.

Assessment - the use of an objective system with which to evaluate the physical, social, developmental, behavioral, and psychosocial aspects of an individual.

Audiologist - a person who is certified or is eligible for a certificate of clinical competence in audiology granted by the American Speech and Hearing Association under its requirements in effect on the publication of this provision or meets the educational requirements for certification, and is in the process of accumulating the supervised experience required for certification.

Autism - A syndrome described as consisting of withdrawal, very inadequate social relationships, exceptional object relationships, language disturbances and monotonously repetitive motor behavior; many children with autism will also be seriously impaired in

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general intellectual functioning; mental illness observed in young children characterized by severe withdrawal and inappropriate response to external stimulation.

Autoclave - an apparatus for sterilizing by superheated steam under pressure.

Auxiliary Personnel - all nursing personnel in intermediate care facilities and skilled nursing facilities other than licensed personnel.

Basement - when used in this Part, means any story or floor level below the main or street floor. Where due to grade difference, there are two levels each qualifying as a street floor, a basement is any floor below the level of the two street floors. Basements shall not be counted in determining the height of a building in stories.

Behavior Modification - treatment to be used to establish or change behavior patterns.

Cerebral Palsy - a disorder dating from birth or early infancy, nonprogressive, characterized by examples of aberrations of motor function (paralysis, weakness, incoordination) and often other manifestations of organic brain damage such as sensory disorders, seizures, mental retardation, learning difficulty and behavior disorders.

Certification for Title XVIII and XIX - the issuance of a document by the Department to the Department of Health and Human Services or the Department of Public Aid verifying compliance with applicable statutory or regulatory requirements for the purposes of participation as a provider of care and service in a specific Federal or State health program.

Charge Nurse - a charge nurse is a registered professional nurse or a licensed practical nurse in charge of the nursing activities for a specific unit or floor during a tour of duty.

Community Alternatives - service programs in the community provided as an alternative to institutionalization.

Community Living Facility - see Facility, Community Living.

Continuing Care Contract - a contract through which a facility agrees to supplement all forms of financial support for a resident throughout the remainder of the resident's life.

Contract - a binding agreement between a resident or the resident's guardian (or, if the resident is a minor, the resident's parent) and the facility or its agent.

Corporal Punishment - painful stimuli inflicted directly upon the body.

Cruelty and Indifference to Welfare of the Resident - failure to provide a resident with

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the care and supervision he requires; or, the infliction of mental or physical abuse. Examples of physical abuse are restraining a resident, striking, slapping, hitting, or withholding food as punishment. Examples of mental abuse are swearing, threatening and seclusion.

Dentist - any person licensed by the State of Illinois to practice dentistry, includes persons holding a Temporary Certificate of Registration, as provided in the Illinois Dental Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 2301 et seq.).

Department - as used in this Part means the Illinois Department of Public Health.

Developmentally Disabled - those individuals whose disability is attributable to mental retardation, cerebral palsy, epilepsy, autism, or other pathological conditions which generally originate before such individuals attain age 18, and which continue, or can be expected to continue, indefinitely, and which constitute a substantial functioning handicap to such individuals.

Developmental Disability - a severe, chronic disability of a person which: is attributable to a mental or physical impairment or combination of mental and physical impairment or combination of mental and physical impairments; is manifest before age 22; is likely to continue indefinitely; results in substantial functional limitations in three or more of the following areas of major life activities:

self-care;
receptive and expressive language;
learning;
mobility;
self-direction;
capacity for independent living; and
economic self-sufficiency; and

reflects the person's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of life-long or extended duration and individually planned and coordinated.

Dietetic Service Supervisor - a person who:

is a qualified dietitian; or

is a graduate of a dietetic technician or dietetic assistant training program, corresponding or classroom, approved by the American Dietetic Association; or is a graduate of a Department-approved course that provides 90 or more hours of classroom instruction in food service supervision and has had experience as a supervisor in a health care institution, which included consultation from a dietitian; or

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has training and experience in food service supervision and management in a military service equivalent in content to the program in paragraph (2) or (3) of this definition.

Dietitian - a person who:
is eligible for registration by the American Dietetic Association; or
has a baccalaureate degree with major studies in food and nutrition, dietetics, and food service management, has one year of supervisory experience in the dietetic service of a health care institution, and participates annually in continuing dietetic education.

Direct Care Aide - Any person who provides nursing care, personal care or psychosocial support to residents of specialized living facilities, regardless of title, and who is not a Qualified Professional, as defined in these rules. Direct Care Aides must function under the supervision of a licensed nurse when performing nursing or personal care duties.

Direct Supervision - means that work is performed under the guidance and direction of a supervisor who is responsible for the work, who plans work and methods, who is available on short notice to answer questions and deal with problems that are not strictly routine, who regularly reviews the work performed, and who is accountable for the results.

DIRECTOR - THE DIRECTOR OF PUBLIC HEALTH OR HIS DESIGNEE.
(Section 1-110 of the Act)

Director of Nursing Service - the full-time Professional Registered Nurse who is directly responsible for the immediate supervision of the nursing services.

DISCHARGE - THE FULL RELEASE OF ANY RESIDENT FROM A FACILITY.
(Section 1-111 of the Act)

Distinct Part - an entire, physically identifiable unit consisting of all of the beds within that unit and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for a distinct part are established as set forth in the respective regulations governing the levels of services approved for the distinct part.

EMERGENCY - A SITUATION, PHYSICAL CONDITION OR ONE OR MORE PRACTICES, METHODS OR OPERATIONS WHICH PRESENT IMMINENT DANGER OF DEATH OR SERIOUS PHYSICAL OR MENTAL HARM TO RESIDENTS OF A FACILITY. (Section 1-112 of the Act)

Epilepsy - a chronic symptom of cerebral dysfunction, characterized by recurrent attacks, involving changes in the state of consciousness, sudden in onset, and of brief

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duration. Many attacks are accompanied by a seizure in which the person falls involuntarily.

Equivalent of a Graduate Licensed Practical Nurse - a licensed practical nurse, licensed by waiver, who successfully passes the proficiency examination approved by the U.S. Department of Health and Human Services shall be considered the equivalent of a licensed practical nurse who is a graduate of an approved school of practical nursing for the purposes of this Part.

Existing Long-Term Care Facility - any facility initially licensed as a health care facility or approved for construction by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, prior to March 1, 1980. Existing long-term care facilities shall meet the design and construction standards for existing facilities for the level of long-term care for which the license (new or renewal) is to be granted.

Facility, Community Living - a place of residence as limited in these standards for between five and 80 ambulatory adults who are mildly or moderately mentally retarded with a potential for being absorbed into the mainstream of community life.

Facility, Intermediate Care - a facility which provides basic nursing care and other restorative services under periodic medical direction. Many of these services may require skill in administration. Such facilities are for residents who have long-term illnesses or disabilities which may have reached a relatively stable plateau.

Facility, Intermediate Care for the Developmentally Disabled - when used in this Part, is a facility of three or more persons, or distinct part thereof, serving residents of which more than 50 percent are developmentally disabled. Facilities with any number less than 50 percent of developmentally disabled residents, who are determined by the Department with consultation from the Division of Developmental Disabilities, Illinois Department of Mental Health and Developmental Disabilities to need organized social support and training programs, must comply with the program requirements in this Part.

FACILITY OR LONG-TERM CARE FACILITY - A PRIVATE HOME, INSTITUTION, BUILDING, RESIDENCE, OR ANY OTHER PLACE, WHETHER OPERATED FOR PROFIT OR NOT, OR A COUNTY HOME FOR THE INFIRM AND CHRONICALLY ILL OPERATED PURSUANT TO DIVISION 5-21 OR 5-22 OF THE COUNTIES CODE (III. Rev. Stat. 1991, ch. 34, pars. 5-21001 et seq. and 5-22001 et seq.), OR ANY SIMILAR INSTITUTION OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OF ILLINOIS, WHICH PROVIDES, THROUGH ITS OWNERSHIP OR MANAGEMENT, PERSONAL CARE, SHELTERED CARE OR NURSING FOR THREE OR MORE PERSONS, NOT RELATED TO THE APPLICANT OR OWNER BY BLOOD OR MARRIAGE. IT INCLUDES SKILLED

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NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES AS THOSE TERMS ARE DEFINED IN TITLE XVIII AND TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C.A. 1395 et seq. and 1936 et seq.). A "facility" may consist of more than one building as long as the buildings are on the same tract, or adjacent tracts of land. However, there shall be no more than one "facility" in any one building. "FACILITY" DOES NOT INCLUDE THE FOLLOWING:

A HOME, INSTITUTION, OR OTHER PLACE OPERATED BY THE FEDERAL GOVERNMENT OR AGENCY THEREOF, OR BY THE STATE OF ILLINOIS;

A HOSPITAL, SANITARIUM, OR OTHER INSTITUTION WHOSE PRINCIPAL ACTIVITY OR BUSINESS IS THE DIAGNOSIS, CARE, AND TREATMENT OF HUMAN ILLNESS THROUGH THE MAINTENANCE AND OPERATION AS ORGANIZED FACILITIES THEREFOR, WHICH IS REQUIRED TO BE LICENSED UNDER THE HOSPITAL LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 142 et seq.);

ANY "FACILITY FOR CHILD CARE" AS DEFINED IN THE CHILD CARE ACT OF 1969 (Ill. Rev. Stat. 1991, ch. 23, par. 2211 et seq.);

ANY "COMMUNITY LIVING FACILITY" AS DEFINED IN THE COMMUNITY LIVING FACILITIES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4181 et seq.);

ANY "COMMUNITY RESIDENTIAL ALTERNATIVE" AS DEFINED IN THE COMMUNITY RESIDENTIAL ALTERNATIVES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 621 et seq.);

ANY NURSING HOME OR SANATORIUM OPERATED SOLELY BY AND FOR PERSONS WHO RELY EXCLUSIVELY UPON TREATMENT BY SPIRITUAL MEANS THROUGH PRAYER, IN ACCORDANCE WITH THE CREED OR TENETS OF ANY WELL-RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION. HOWEVER, SUCH NURSING HOME OR SANATORIUM SHALL COMPLY WITH ALL LOCAL LAWS AND RULES RELATING TO SANITATION AND SAFETY; OR

ANY FACILITY LICENSED BY THE DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES AS A COMMUNITY-INTEGRATED LIVING ARRANGEMENT AS DEFINED IN THE COMMUNITY-INTEGRATED LIVING ARRANGEMENTS LICENSURE AND CERTIFICATION ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1701 et seq.). (Section 1-113 of the Act)

Facility, Skilled Nursing - when used in this Part is synonymous with a skilled nursing facility. A skilled nursing facility provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post acute phase of illness or during recurrences of symptoms in long-term illness.

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Financial Responsibility - sufficient assets to provide adequate services such as: staff, heat, laundry, foods, supplies, and utilities for at least a two-month period of time.

Full-time - means on duty a minimum of 36 hours, four days per week.

Goal - an expected result or condition that involves a relatively long period of time to achieve, that is specified in behavioral terms in a statement of relatively broad scope, and that provides guidance in establishing specific, short-term objectives directed toward its attainment.

Governing Body - the policy-making authority, whether an individual or a group, that exercises general direction over the affairs of a facility and establishes policies concerning its operation and the welfare of the individuals it serves.

GUARDIAN - A PERSON APPOINTED AS A GUARDIAN OF THE PERSON OR GUARDIAN OF THE ESTATE, OR BOTH, OF A RESIDENT UNDER THE PROBATE ACT OF 1975 (Ill. Rev. Stat. 1991, ch. 110 1/2, par. 1-1 et seq.) (Section 1-114 of the Act)

Habilitation - an effort directed toward the alleviation of a disability or toward increasing a person's level of physical, mental, social or economic functioning.

Habilitation may include, but is not limited to, diagnosis, evaluation, medical services, residential care, day care, special living arrangements, training, education, sheltered employment, protective services, counseling and other services.

Health Services Supervisor - (Director of Nursing Service) the full-time Registered Nurse, or Licensed Practical Nurse, who is directly responsible for the immediate supervision of the health services in an Intermediate Care Facility.

Home for the Aged - any facility which is operated: by a not-for-profit corporation incorporated under, or qualified as a foreign corporation under, the General Not For Profit Corporation Act of 1986 (Ill. Rev. Stat. 1991, ch. 32, par. 101.01 et seq.); or, by a county pursuant to Division 5-22 of the Counties Code (Ill. Rev. Stat. 1991, ch. 34, par. 5-22001 et seq.); or, pursuant to a trust or endowment established for nonprofit, charitable purposes, and which provides maintenance, personal care, nursing or sheltered care to three or more residents, 90 percent of whom are 60 or more years of age.

Hospitalization - the care and treatment of a person in a hospital as an in-patient.

House Manager - a qualified person on duty 40 hours a week managing the Community Living Facility and responsible for its operation and its inhabitants.

Individual Educational Program (IEP) - a written statement for each resident that

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provides for specific education and related services. The Individual Education Program may be incorporated into the Individual Habilitation Plan (IHP).

Individual Habilitation Plan (IHP) - a total plan of care that is developed by the interdisciplinary team for each resident, and that is developed on the basis of all assessment results.

Institutional Occupancy - when used in this Part means Health Care Facilities, Group (a), as defined in Chapter 10, paragraph 10-0001 of the Life Safety Code, National Fire Protection Association (1985 Edition).

Interdisciplinary Team - a group of persons that represents those professions, disciplines, or service areas that are relevant to identifying an individual's needs, and designs a program to meet those needs. This team shall include at least a physician, a social worker and other professionals. In Intermediate Care Facilities for The Developmentally Disabled (ICF-DDs) at least one member of the team shall be a Qualified Mental Retardation Professional.

Licensed Nursing Home Administrator - a person who is charged with the general administration and supervision of a facility and licensed under the Nursing Home Administrators Licensing and Disciplinary Act (Ill. Rev. Stat. 1991, ch. 111, par. 3651 et seq.).

Licensed Practical Nurse - a person with a valid Illinois license to practice as a practical nurse.

LICENSEE - THE PERSON OR ENTITY LICENSED TO OPERATE THE FACILITY AS PROVIDED UNDER THE ACT. (Section 1-115 of the Act)

Life Care Contract - a contract through which a facility agrees to provide maintenance and care for a resident throughout the remainder of the resident's life.

MAINTENANCE - FOOD, SHELTER, AND LAUNDRY SERVICES. (Section 1-116 of the Act)

Maladaptive Behavior - impairment in adaptive behavior as determined by a clinical psychologist or by a physician. Impaired adaptive behavior may be reflected in delayed maturation, reduced learning ability or inadequate social adjustment.

Medical Record Practitioner - a person who: is eligible for certification as a registered record administrator (RRA) or an accredited record technician (ART), by the American Medical Record Association under its requirements; or is a graduate of a school of medical record science that is accredited jointly by the American Medical Association

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and the American Medical Record Association.

Mentally Retarded and Mental Retardation - subaverage general intellectual functioning originating during the developmental period and associated with maladaptive behavior.

Misappropriation of Property - using a resident's cash, clothing, or other possessions without authorization by the resident or the resident's authorized representative; failure to return valuables after a resident's discharge; or failure to refund money after death or discharge when there is an unused balance in the resident's personal account.

Mobile Nonambulatory - unable to walk independently or without assistance, but able to move from place to place with the use of devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Mobile Resident - any resident who is able to move about either independently or with the aid of assistive devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Monitor - a qualified person placed in a facility by the Department to observe operations of the facility, assist the facility by advising it on how to comply with the State regulations, and who reports periodically to the Department on the operations of the facility.

NEGLECT - A FAILURE IN A FACILITY TO PROVIDE ADEQUATE MEDICAL OR PERSONAL CARE OR MAINTENANCE, WHICH FAILURE RESULTS IN PHYSICAL OR MENTAL INJURY TO A RESIDENT OR IN THE DETERIORATION OF A RESIDENT'S PHYSICAL OR MENTAL CONDITION. (Section 1-117 of the Act)

Neglect means:

The failure to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition shall include any allegation where:

the alleged failure causing injury or deterioration is ongoing or repetitious; or

a resident required medical treatment as a result of the alleged failure; or

the failure is alleged to have caused a noticeable negative impact on a resident's health, behavior or activities for more than 24 hours.

New Long-Term Care Facility - any facility initially licensed as a health care facility by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, on or after March 1, 1980. New long-term care facilities shall meet the

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design and construction standards for new facilities for the level of long-term care for which the license (new or renewal) is to be granted.

Normalization - the principle of helping individuals to obtain an existence as close to normal as possible, by making available to them patterns and conditions of everyday life that are as close as possible to the norms and patterns of the mainstream of society.

NURSE - A REGISTERED NURSE OR A LICENSED PRACTICAL NURSE AS DEFINED IN THE ILLINOIS NURSING ACT OF 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 3501 et seq.). (Section 1-118 of the Act)

Nursing Assistant - Any person who provides nursing care or personal care to residents of licensed long-term care facilities, regardless of title, and who is not otherwise licensed, certified or registered by the Department of Professional Regulation to render medical care. Other titles often used to refer to nursing assistants include, but are not limited to, nurse's aide, orderly and nurse technician. Nursing assistants must function under the supervision of a licensed nurse.

Nursing Care - a complex of activities which carries out the diagnostic, therapeutic, and rehabilitative plan as prescribed by the physician; care for the resident's environment; observing symptoms and reactions and taking necessary measures to carry out nursing procedures involving understanding of cause and effect in order to safeguard life and health.

Nursing Unit - a physically identifiable designated area of a facility consisting of all the beds within the designated area, but having no more than 75 beds, none of which are more than 120 feet from the nurse's station.

Objective - an expected result or condition that involves a relatively short period of time to achieve, that is specified in behavioral terms, and that is related to the achievement of a goal.

Occupational Therapist, Registered (OTR) - a person who is registered with the Department of Professional Regulation as an occupational therapist under the Illinois Occupational Therapy Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 3701 et seq.).

Occupational Therapy Assistant - a person who is registered with the Department of Professional Regulation as a certified occupational therapy assistant under the Illinois Occupational Therapy Practice Act.

Operator - the person responsible for the control, maintenance and governance of the facility, its personnel and physical plant.

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Other Resident Injury - occurs where a resident is alleged to have suffered physical or mental harm and the allegation does not fall within the definition of abuse or neglect.

Oversight - general watchfulness and appropriate reaction to meet the total needs of the residents, exclusive of nursing or personal care. Oversight shall include, but is not limited to, social, recreational and employment opportunities for residents who, by reason of mental disability, or in the opinion of a licensed physician, are in need of residential care.

OWNER - THE INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION OR OTHER PERSON WHO OWNS A FACILITY. IN THE EVENT A FACILITY IS OPERATED BY A PERSON WHO LEASES THE PHYSICAL PLANT, WHICH IS OWNED BY ANOTHER PERSON, "OWNER" MEANS THE PERSON WHO OPERATES THE FACILITY, EXCEPT THAT IF THE PERSON WHO OWNS THE PHYSICAL PLANT IS AN AFFILIATE OF THE PERSON WHO OPERATES THE FACILITY AND HAS SIGNIFICANT CONTROL OVER THE DAY-TO-DAY OPERATIONS OF THE FACILITY, THE PERSON WHO OWNS THE PHYSICAL PLANT SHALL INCUR JOINTLY AND SEVERALLY WITH THE OWNER ALL LIABILITIES IMPOSED ON AN OWNER UNDER THE ACT. (Section 1-119 of the Act)

Person - any individual, partnership, corporation, association, municipality, political subdivision, trust, estate or other legal entity whatsoever.

PERSONAL CARE - ASSISTANCE WITH MEALS, DRESSING, MOVEMENT, BATHING, OR OTHER PERSONAL NEEDS, OR GENERAL SUPERVISION AND OVERSIGHT OF THE PHYSICAL AND MENTAL WELL-BEING OF AN INDIVIDUAL, EXCLUSIVE OF NURSING, WHO BECAUSE OF AGE, PHYSICAL OR MENTAL DISABILITY, EMOTIONAL OR BEHAVIOR DISORDER, OR MENTAL RETARDATION IS INCAPABLE OF MAINTAINING A PRIVATE, INDEPENDENT RESIDENCE, OR WHO IS INCAPABLE OF MANAGING HIS PERSON WHETHER OR NOT A GUARDIAN HAS BEEN APPOINTED. (Section 1-120 of the Act)

Pharmacist, Registered - a person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4121 et seq.).

Physical Therapist Assistant - a person who has graduated from a two year college level program approved by the American Physical Therapy Association.

Physical Therapist - a person who is registered with the Department of Professional Regulation as a physical therapist under the Illinois Physical Therapy Act (Ill. Rev. Stat.

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1991, ch. 111 par. 4251 et seq.).

Physician - any person licensed by the State of Illinois to practice medicine in all its branches as provided in the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.).

Probationary License - an initial license issued for a period of 120 days during which time the Department will determine the qualifications of the applicant.

Program Coordinator - a qualified person directly responsible for the overall program, operation and management of a Community Living Facility.

Program Unit - a resident care unit in Specialized Living Facilities equivalent to a nursing unit in Skilled Nursing facilities as defined in this Part.

Psychiatrist - a physician who has had at least three years of formal training or primary experience in the diagnosis and treatment of mental illness.

Psychologist - a person who is licensed by the Illinois Department of Professional Regulation to practice clinical psychology under the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 5351 et seq.).

Qualified Mental Retardation Professional - a person who has at least one year of experience working directly with individuals with developmental disabilities and meets at least one of the following additional qualifications:

Be a physician as defined in this Section.

Be a registered nurse as defined in this Section.

Hold at least a bachelor's degree in one of the following fields: occupational therapy, physical therapy, psychology, social work, speech or language pathology, recreation (or a recreational specialty area such as art, dance, music, or physical education), dietary services or dietetics, or a human services field (such as sociology, special education, or rehabilitation counseling).

Qualified Professional - a person who meets the educational, technical and ethical criteria of a health care profession, as evidenced by eligibility for membership in an organization established by the profession for the purpose of recognizing those persons who meet such criteria; and who is licensed, registered, or certified by the State of Illinois, if required.

REASONABLE VISITING HOURS - ANY TIME BETWEEN THE HOURS OF 10 A.M. AND 8 P.M. DAILY. (Section 1-121 of the Act)

Registered Nurse - a person with a valid Illinois license from the Illinois Department of

Professional Regulation to practice as a registered professional nurse under the Illinois Nursing Act of 1987.

REPEAT VIOLATION - FOR PURPOSES OF ASSESSING FINES UNDER SECTION 3-305 OF THE ACT, A VIOLATION THAT HAS BEEN CITED DURING ONE INSPECTION OF THE FACILITY FOR WHICH A SUBSEQUENT INSPECTION INDICATES THAT AN ACCEPTED PLAN OF CORRECTION WAS NOT COMPLIED WITH, within a period of not more than twelve months from the issuance of the initial violation. A REPEAT VIOLATION SHALL NOT BE A NEW CITATION OF THE SAME RULE, UNLESS THE LICENSEE IS NOT SUBSTANTIALLY ADDRESSING THE ISSUE ROUTINELY THROUGHOUT THE FACILITY. (Section 3-305(7) of the Act)

Reputable Moral Character - having no history of a conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or of a corporation, of any of its officers, or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, or in the case of the conviction of a misdemeanor by a court not of record, as shown by other evidence; or other satisfactory evidence that the moral character of the applicant, or manager, or supervisor of the facility is not reputable.

RESIDENT - PERSON RESIDING IN AND RECEIVING PERSONAL CARE FROM A FACILITY. (Section 1-122 of the Act)

Resident Services Director - the full-time administrator, or an individual on the professional staff in the facility, who is directly responsible for the coordination and monitoring of the residents' overall plans of care in an intermediate care facility.

RESIDENT'S REPRESENTATIVE - A PERSON OTHER THAN THE OWNER, OR AN AGENT OR EMPLOYEE OF A FACILITY NOT RELATED TO THE RESIDENT, DESIGNATED IN WRITING BY A RESIDENT TO BE HIS REPRESENTATIVE, OR THE RESIDENT'S GUARDIAN, OR THE PARENT OF A MINOR RESIDENT FOR WHOM NO GUARDIAN HAS BEEN APPOINTED. (Section 1-123 of the Act)

Restorative Care - a health care process designed to assist residents to attain and maintain the highest degree of function of which they are capable (physical, mental, and social).

Restraint of a Resident - the application of a device to limit movements.

Room - a part of the inside of a facility that is partitioned continuously from floor to ceiling with openings closed with glass or hinged doors.

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Safety Device - any equipment or protective device used on a bed, chair, or resident which prevents him from falling or otherwise injuring himself. Examples are: bedside rails; geriatric or adaptive chairs; a wide band, vest or sheet applied to prevent falling out of a bed or chair; and hand socks applied to prevent injuring one's self.

Sanitization - the reduction of pathogenic organisms on a utensil surface to a safe level, which is accomplished through the use of steam, hot water, or chemicals.

Satisfactory - same as adequate.

Seclusion - the retention of a resident in a room which the resident cannot open.

Self Preservation - the ability to follow directions or recognize impending danger or emergency situations and react by avoiding or leaving the unsafe area.

SHELTERED CARE - MAINTENANCE AND PERSONAL CARE. (Section 1-124 of the Act)

Social Worker, Qualified - a person who:
is a licensed social worker or a licensed clinical social worker under the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 6351 et seq.); and
is a graduate of a school of social work which has been approved by the Council on Social Work Education (some schools are approved for Bachelor's Degree programs and others for Master's Degree programs); and
has one year of social work experience in a health care setting.

State Fire Marshal - the Fire Marshal of the Office of the State Fire Marshal, Division of Fire Prevention.

Sterilization - the act or process of destroying completely all forms of microbial life, including viruses.

STOCKHOLDER OF A CORPORATION - ANY PERSON WHO, DIRECTLY OR INDIRECTLY, BENEFICIALLY OWNS, HOLDS OR HAS THE POWER TO VOTE, AT LEAST FIVE PERCENT OF ANY CLASS OF SECURITIES ISSUED BY THE CORPORATION. (Section 1-125 of the Act)

Story - when used in this Part means that portion of a building between the upper surface of any floor and the upper surface of the floor above except that the topmost story shall be the portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

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STUDENT INTERN - MEANS ANY PERSON WHOSE TOTAL TERM OF EMPLOYMENT IN ANY FACILITY DURING ANY 12-MONTH PERIOD IS EQUAL TO OR LESS THAN 90 CONTINUOUS DAYS, AND WHOSE TERM OF EMPLOYMENT IS EITHER:
AN ACADEMIC CREDIT REQUIREMENT IN A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION; OR
IMMEDIATELY SUCCEEDS A FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, PROVIDED THAT SUCH PERSON IS REGISTERED FOR ANOTHER FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION WHICH QUARTER, SEMESTER OR TRIMESTER WILL COMMENCE IMMEDIATELY FOLLOWING THE TERM OF EMPLOYMENT. (Section 1-125.1 of the Act)

Substantial - meeting requirements except for variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.280(q)(8), 300.280(k)(2) and 300.280(k)(4).

Substantial failure - the failure to meet requirements other than a variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.180(b)(1) and 300.260(f).

Sufficient - Same as adequate.

Supervision - authoritative procedural guidance by a qualified person for the accomplishment of a function or activity within his sphere of competence, with initial direction and periodic inspection of the actual act of accomplishing the function or activity. Unless otherwise stated in this Part, the supervisor must be on the premises if the person does not meet assistant level (two-year training program) qualifications specified in these definitions.

Therapeutic Recreation Specialist - a person who is certified by the National Council for Therapeutic Recreation Certification and who meets the minimum standards it has established for classification as a Therapeutic Recreation Specialist.

Time Out - removing an individual from a situation that results in undesirable behavior. It is a behavior modification procedure which is developed and implemented under the supervision of a qualified professional.

TITLE XVIII - TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT AS

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NOW OR HEREAFTER AMENDED. (Section 1-126 of the Act)

TITLE XIX - TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREAFTER AMENDED. (Section 1-127 of the Act)

TRANSFER - A CHANGE IN STATUS OF A RESIDENT'S LIVING ARRANGEMENTS FROM ONE FACILITY TO ANOTHER FACILITY. (Section 1-128 of the Act)

TYPE A VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY PRESENTING A SUBSTANTIAL PROBABILITY THAT DEATH OR SERIOUS MENTAL OR PHYSICAL HARM TO A RESIDENT WILL RESULT THEREFROM. (Section 1-129 of the Act)

TYPE B VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY DIRECTLY THREATENING TO THE HEALTH, SAFETY OR WELFARE OF A RESIDENT. (Section 1-130 of the Act)

Unit - an entire physically identifiable residence area, in Community Living Facilities consisting of not less than five nor more than 20 beds, and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for each distinct resident area are established as set forth in the respective regulations governing the approved levels of service.

Universal Progress Notes - a common record with periodic narrative documentation by all persons involved in resident care.

Valid License - a license which is unsuspended, unrevoked and unexpired.

(Source: Emergency amendment at 17 Ill. Reg. 7948, effective May 6, 1993, for a maximum of 150 days)

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1) The Heading of the Part:

Long-Term Care for Under Age 22 Facilities Code

2) Code Citation: 77 Ill. Adm. Code 390

3) Section Numbers: Emergency Action:

390.330 Amendments

4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4151-101 et seq.
[210 ILCS 45/1-101 et seq. (1992)]

5) Effective Date of Emergency Amendments:

May 6, 1993

6) If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:

N/A

7) Date Filed in Agency's Principal Office:

May 6, 1993

8) Reason for Emergency:

The Department of Public Health has adopted these amendments to implement a consent decree in the case of Protection and Advocacy [P & A] v. John R. Lumpkin. The settlement agreement, which was signed on February 16, 1993, requires the Department to adopt emergency amendments to Parts 300, 330, 350, and 390 of the Illinois Administrative Code. Protection and Advocacy, Inc., is an Illinois not-for-profit corporation that advocates for the rights of mentally ill individuals and persons with developmental disabilities. The Settlement Agreement concerns the Department's operation of the 24-hour hotline required by the Abused and Neglected Long-Term Care Facility Residents Reporting Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4161 et seq.) [210 ILCS 30/1 et seq.]. The Settlement Agreement requires the Department to use court-ordered procedures in operating the hotline; to categorize allegations of abuse, neglect, or other resident injury in a uniform fashion; to report other resident injuries to the Department in the same manner as reports of abuse or neglect; to file emergency

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Amendments to Parts 300, 330, 350, and 390 to include expanded definitions of "abuse," "neglect," and "other resident injury"; and to handle as "anonymous" complaints wherein a named complainant cannot be located or proves to be fictitious.

9) A Complete Description of the Subjects and Issues Involved:

Section 390.330 - The definitions of "abuse" and "neglect" are being amended to include information required by the Settlement Agreement in the case of P & A v. Lumpkin. A definition of "Other Resident Injury" is added. The Department plans to propose identical amendments in accordance with the regular rulemaking requirements of the Illinois Administrative Procedure Act.

10) Are there any proposed amendments to this Part pending?

| <u>Section Numbers</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
|------------------------|------------------------|-----------------------------------|
| 390.1025 | New Section | 16 Ill. Reg. 16520 |
| 390.640 | Amendments | 16 Ill. Reg. 17515 |
| 390.175 | Amendments | 17 Ill. Reg. 1296 |
| 390.180 | Amendments | 17 Ill. Reg. 1296 |
| 390.270 | Amendments | 17 Ill. Reg. 1296 |
| 390.640 | Amendments | 17 Ill. Reg. 1296 |
| 390.680 | Amendments | 17 Ill. Reg. 1296 |
| 390.685 | Amendments | 17 Ill. Reg. 1296 |
| 390.3210 | Amendments | 17 Ill. Reg. 1296 |
| 390.3330 | Amendments | 17 Ill. Reg. 1296 |

11) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

12) Information and questions regarding this amendment shall be directed to:

Name: Gail M. DeVito
Address: Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson Street, Fifth Floor
Springfield, Illinois 62761
Telephone: (217) 782-6187

The full text of the emergency amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 390

LONG-TERM CARE FOR UNDER AGE 22 FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

| Section | |
|---------|--|
| 390.110 | General Requirements |
| 390.120 | Application for License |
| 390.130 | Licensee |
| 390.140 | Issuance of an Initial License for a New Facility |
| 390.150 | Issuance of an Initial License Due to a Change of Ownership |
| 390.160 | Issuance of a Renewal License |
| 390.165 | Criteria for Adverse Licensee Actions |
| 390.170 | Denial of Initial License |
| 390.175 | Denial of Renewal of License |
| 390.180 | Revocation of License |
| 390.190 | Experimental Program Conflicting With Requirements |
| 390.200 | Inspections, Surveys, Evaluations and Consultation |
| 390.210 | Filing an Annual Attested Financial Statement |
| 390.220 | Information to Be Made Available to the Public By the Department |
| 390.230 | Information to Be Made Available to the Public By the Licensee |
| 390.240 | Municipal Licensing |
| 390.250 | Ownership Disclosure |
| 390.260 | Issuance of Conditional Licenses |
| 390.270 | Monitor and Receivership |
| 390.271 | Presentation of Findings |
| 390.272 | Determination to Issue a Notice of Violation or Administrative Warning |
| 390.274 | Determination of the Level of a Violation |
| 390.276 | Notice of Violation |
| 390.277 | Administrative Warning |
| 390.278 | Plans of Correction |
| 390.280 | Reports of Correction |
| 390.282 | Conditions for Assessment of Penalties |
| 390.284 | Calculation of Penalties |
| 390.286 | Determination to Assess Penalties |
| 390.288 | Reduction or Waiver of Penalties |
| 390.290 | Quarterly List of Violators |
| 390.300 | Alcoholism Treatment Programs In Long-Term Care Facilities |
| 390.310 | Department May Survey Facilities Formerly Licensed |

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390.1230 Staffing
390.1240 Additional Requirements

SUBPART B: ADMINISTRATION

SUBPART G: RESIDENT CARE SERVICES

390.510 Administrator

390.1410 Activity Program
390.1420 Specialized Rehabilitation Services
390.1430 Work Programs

SUBPART C: POLICIES

SUBPART H: MEDICATIONS

390.610 Resident Care Policies
390.620 Admission and Discharge Policies
390.630 Contract Between Resident and Facility
390.640 Residents' Advisory Council
390.650 Personnel Policies
390.655 Initial Health Evaluation for Employees
390.660 Nursing Assistants
390.665 Student Interns
390.670 Disaster Preparedness
390.680 Restraints and Safety Devices
390.690 Serious Incidents and Accidents

390.1610 Medication Policies and Procedures
390.1620 Conformance With Physician's Orders
390.1630 Administration of Medication
390.1640 Labeling and Storage of Medications
390.1650 Control of Medications

SUBPART D: PERSONNEL

SUBPART I: RESIDENT AND FACILITY RECORDS

390.810 General
390.820 Categories of Personnel
390.830 Consultation Services
390.840 Personnel Policies

390.1810 Resident Record Requirements
390.1820 Content of Medical Records
390.1830 Records Pertaining to Residents' Property
390.1840 Retention and Transfer of Resident Records
390.1850 Other Resident Record Requirements
390.1860 Staff Responsibility for Medical Records
390.1870 Retention of Facility Records
390.1880 Other Facility Record Requirements

SUBPART E: MEDICAL AND DENTAL CARE OF RESIDENTS

SUBPART J: FOOD SERVICE

390.1010 Medical Care Policies
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Applicability of these Standards
Codes and Standards
Preparation of Drawings and Specifications
Site
Administration and Public Areas
Nursing Unit
Dining, Living, Activities Rooms
Therapy and Personal Care
Service Departments
General Building Requirements
Structural
Mechanical Systems
Plumbing Systems
Electrical Systems

SUBPART O: DESIGN AND CONSTRUCTION STANDARDS
FOR EXISTING INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

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Applicability
Codes and Standards
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390.3140

Nursing Unit
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SUBPART P: RESIDENT'S RIGHTS

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General
Medical and Personal Care Program
Restraints
Abuse and Neglect
Communication and Visitation
Resident's Funds
Residents' Advisory Council
Contract With Facility
Private Right of Action
Transfer or Discharge
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SUBPART Q: SPECIALIZED LIVING FACILITIES FOR THE MENTALLY ILL

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390.3510
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Application of Other Divisions of These Minimum Standards
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Policies
Personnel
Resident Living Services Medical and Dental Care
Resident Services Program
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Social Services
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Health Services
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390.3560 Podiatric Services
 390.3570 Occupational Therapy Services
 390.3580 Nursing and Personal Care
 390.3590 Resident Care Services
 390.3600 Record Keeping
 390.3610 Food Service
 390.3620 Furnishings, Equipment and Supplies (New and Existing Facilities)
 390.3630 Design and Construction Standards (New and Existing Facilities)

effective December 24, 1987; amended at 12 Ill. Reg. 16780, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18243, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6301, effective April 17, 1989; amended at 13 Ill. Reg. 19521, effective December 1, 1989; amended at 14 Ill. Reg. 14904, effective October 1, 1990; amended at 15 Ill. Reg. 1878, effective January 25, 1991; amended at 16 Ill. Reg. 623, effective January 1, 1992; amended at 16 Ill. Reg. 14329, effective September 3, 1992; emergency amendment at 17 Ill. Reg. 2390, effective February 3, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 1974, effective May 6, 1993, for a maximum of 150 days.

SUBPART R: DAYCARE PROGRAMS

NOTE: Italics and capitalization denote statutory language.

390.3710 Day Care in Long-Term Care Facilities

390.APPENDIX A Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities

390.APPENDIX B Classification of Distinct Part of a Facility for Different Levels of Service (Repealed)

390.APPENDIX C Federal Requirements Regarding Patients'/Residents' Rights

390.APPENDIX D Forms for Day Care in Long-Term Care Facilities

390.APPENDIX E Criteria for Activity Directors Who Need Only Minimal Consultation

390.TABLE A Sound Transmission Limitations in New Skilled Nursing and Intermediate Care Facilities

390.TABLE B Pressure Relationships and Ventilation Rates of Certain Areas for New Intermediate Care Facilities and Skilled Nursing Facilities

390.TABLE C Construction Types and Sprinkler Requirements for Existing Skilled Nursing Facilities/Intermediate Care Facilities

390.TABLE D Disaster Preparedness Parameters - Relative Humidity and Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Adopted at 6 Ill. Reg. 1658, effective February 1, 1982; emergency amendment at 6 Ill. Reg. 3223, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11622, effective September 14, 1982; amended at 6 Ill. Reg. 14557 and 14560, effective November 8, 1982; amended at 6 Ill. Reg. 14678, effective November 15, 1982; amended at 7 Ill. Reg. 282, effective December 22, 1982; amended at 7 Ill. Reg. 1927, effective January 28, 1983; amended at 7 Ill. Reg. 8574, effective July 11, 1983; amended at 7 Ill. Reg. 15821, effective November 15, 1983; amended at 7 Ill. Reg. 16988, effective December 14, 1983; amended at 8 Ill. Reg. 15585, 15589, and 15592, effective August 15, 1984; amended at 8 Ill. Reg. 16989, effective September 5, 1984; codified at 8 Ill. Reg. 19823; amended at 8 Ill. Reg. 24159, effective November 29, 1984; amended at 8 Ill. Reg. 24656, effective December 7, 1984; amended at 8 Ill. Reg. 25083, effective December 14, 1984; amended at 9 Ill. Reg. 122, effective December 26, 1984; amended at 9 Ill. Reg. 10785, effective July 1, 1985; amended at 11 Ill. Reg. 16782, effective October 1, 1987; amended at 12 Ill. Reg. 931,

Section 390.330
 EMERGENCY

Definitions

The terms defined in this Section are terms that are used in one or more of the sets of licensing standards established by the Department to license various levels of long-term care. They are defined as follows:

ABUSE - ANY PHYSICAL OR MENTAL INJURY OR SEXUAL ASSAULT INFLICTED ON A RESIDENT OTHER THAN BY ACCIDENTAL MEANS IN A FACILITY. (Section 1-103 of the Act)

Abuse means:

Physical abuse refers to the infliction of injury on a resident that occurs other than by accidental means and that requires (whether or not actually given) medical attention.

Mental injury arises from the following types of conduct:

Verbal abuse refers to the use by a licensee, employee or agent of oral, written or gestured language that includes disparaging and derogatory terms to residents or within their hearing or seeing distance, regardless of their age, ability to comprehend or disability. Mental abuse includes, but is not limited to, humiliation, harassment, threats of punishment or deprivation, or offensive physical contact by a licensee, employee or agent.

Sexual harassment or sexual coercion perpetrated by a licensee, employee or agent.

Sexual assault:

ACCESS - THE RIGHT TO:

ENTER ANY FACILITY;

COMMUNICATE PRIVATELY AND WITHOUT RESTRICTION WITH ANY RESIDENT WHO CONSENTS TO THE COMMUNICATION;

SEEK CONSENT TO COMMUNICATE PRIVATELY AND WITHOUT

RESTRICTION WITH ANY RESIDENT;

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INSPECT THE CLINICAL AND OTHER RECORDS OF A RESIDENT WITH THE EXPRESS WRITTEN CONSENT OF THE RESIDENT; OBSERVE ALL AREAS OF THE FACILITY EXCEPT THE LIVING AREA OF ANY RESIDENT WHO PROTESTS THE OBSERVATION. (Section 1-104 of the Act)

Act - as used in this Part, the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.).

Activity Program - a specific planned program of varied group and individual activities geared to the individual resident's needs and available for a reasonable number of hours each day.

Adaptive Behavior - the effectiveness or degree with which the individual meets the standards of personal independence and social responsibility expected of his age and cultural group.

Addition - any construction attached to the original building which increases the area or cubic content of the building.

Adequate - enough in either quantity or quality, as determined by a reasonable person familiar with the professional standards of the subject under review, to meet the needs of the residents of a facility under the particular set of circumstances in existence at the time of review.

Administrative Warning - a notice to a facility issued by the Department under Section 300.277 of this Part and Section 3-303.2 of the Act, which indicates that a situation, condition, or practice in the facility violates the Act or the Department's rules, but is not a type A or type B violation.

Administrator - the person who is directly responsible for the operation and administration of the facility, irrespective of the assigned title. (See Licensed Nursing Home Administrator.)

Advocate - a person who represents the rights and interests of an individual as though they were the person's own, in order to realize the rights to which the individual is entitled, obtain needed services, and remove barriers to meeting the individual's needs.

AFFILIATE MEANS:

WITH RESPECT TO A PARTNERSHIP, EACH PARTNER THEREOF.
WITH RESPECT TO A CORPORATION, EACH OFFICER, DIRECTOR AND STOCKHOLDER THEREOF.
WITH RESPECT TO A NATURAL PERSON: ANY PERSON RELATED IN

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THE FIRST DEGREE OF KINSHIP TO THAT PERSON; EACH PARTNERSHIP AND EACH PARTNER THEREOF OF WHICH THAT PERSON OR ANY AFFILIATE OF THAT PERSON IS A PARTNER; AND EACH CORPORATION IN WHICH THAT PERSON OR ANY AFFILIATE OF THAT PERSON IS AN OFFICER, DIRECTOR OR STOCKHOLDER. (Section 1-106 of the Act)

Aide or Orderly - any person providing direct personal care, training or habilitation services to residents.

Alteration - any construction change or modification of an existing building which does not increase the area or cubic content of the building.

Ambulatory Resident - a person who is physically and mentally capable of walking without assistance, or is physically able with guidance to do so, including the ascent and descent of stairs.

APPLICANT - ANY PERSON MAKING APPLICATION FOR A LICENSE. (Section 1-107 of the Act)

Appropriate - term used to indicate that a requirement is to be applied according to the needs of a particular individual or situation.

Assessment - the use of an objective system with which to evaluate the physical, social, developmental, behavioral, and psychosocial aspects of an individual.

Audiologist - a person who is certified or is eligible for a certificate of clinical competence in audiology granted by the American Speech and Hearing Association under its requirements in effect on the publication of this provision or meets the educational requirements for certification, and is in the process of accumulating the supervised experience required for certification.

Autism - A syndrome described as consisting of withdrawal, very inadequate social relationships, exceptional object relationships, language disturbances and monotonously repetitive motor behavior; many children with autism will also be seriously impaired in general intellectual functioning; mental illness observed in young children characterized by severe withdrawal and inappropriate response to external stimulation.

Autoclave - an apparatus for sterilizing by superheated steam under pressure.

Auxiliary Personnel - all nursing personnel in intermediate care facilities and skilled nursing facilities other than licensed personnel.

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Basement - when used in this Part, means any story or floor level below the main or street floor. Where due to grade difference, there are two levels each qualifying as a street floor, a basement is any floor below the level of the two street floors. Basements shall not be counted in determining the height of a building in stories.

Behavior Modification - treatment to be used to establish or change behavior patterns.

Cerebral Palsy - a disorder dating from birth or early infancy, nonprogressive, characterized by examples of aberrations of motor function (paralysis, weakness, incoordination) and often other manifestations of organic brain damage such as sensory disorders, seizures, mental retardation, learning difficulty and behavior disorders.

Certification for Title XVIII and XIX - the issuance of a document by the Department to the Department of Health and Human Services or the Department of Public Aid verifying compliance with applicable statutory or regulatory requirements for the purposes of participation as a provider of care and service in a specific Federal or State health program.

Charge Nurse - a charge nurse is a registered professional nurse or a licensed practical nurse in charge of the nursing activities for a specific unit or floor during a tour of duty.

Community Alternatives - service programs in the community provided as an alternative to institutionalization.

Community Living Facility - see Facility, Community Living.

Continuing Care Contract - a contract through which a facility agrees to supplement all forms of financial support for a resident throughout the remainder of the resident's life.

Contract - a binding agreement between a resident or the resident's guardian (or, if the resident is a minor, the resident's parent) and the facility or its agent.

Corporal Punishment - painful stimuli inflicted directly upon the body.

Cruelty and Indifference to Welfare of the Resident - failure to provide a resident with the care and supervision he requires; or, the infliction of mental or physical abuse. Examples of physical abuse are restraining a resident, striking, slapping, hitting, or withholding food as punishment. Examples of mental abuse are swearing, threatening and seclusion.

Dentist - any person licensed by the State of Illinois to practice dentistry, includes persons holding a Temporary Certificate of Registration, as provided in the Illinois Dental Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 2301 et seq.).

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Department - as used in this Part means the Illinois Department of Public Health.

Developmentally Disabled - those individuals whose disability is attributable to mental retardation, cerebral palsy, epilepsy, autism, or other pathological conditions which generally originate before such individuals attain age 18, and which continue, or can be expected to continue, indefinitely, and which constitute a substantial functioning handicap to such individuals.

Developmental Disability - a severe, chronic disability of a person which: is attributable to a mental or physical impairment or combination of mental and physical impairment or combination of mental and physical impairments; is manifest before age 22; is likely to continue indefinitely; results in substantial functional limitations in three or more of the following areas of major life activities:

self-care;
receptive and expressive language;
learning;
mobility;
self-direction;
capacity for independent living; and
economic self-sufficiency; and
reflects the person's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of life-long or extended duration and individually planned and coordinated.

Dietetic Service Supervisor - a person who:

is a qualified dietitian; or
is a graduate of a dietetic technician or dietetic assistant training program, corresponding or classroom, approved by the American Dietetic Association; or
is a graduate of a Department-approved course that provides 90 or more hours of classroom instruction in food service supervision and has had experience as a supervisor in a health care institution, which included consultation from a dietitian; or
has training and experience in food service supervision and management in a military service equivalent in content to the program in paragraph (2) or (3) of this definition.

Dietitian - a person who:

is eligible for registration by the American Dietetic Association; or
has a baccalaureate degree with major studies in food and nutrition, dietetics, and food service management, has one year of supervisory experience in the dietetic service of a health care institution, and participates annually in continuing

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or approved for construction by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, prior to March 1, 1980. Existing long-term care facilities shall meet the design and construction standards for existing facilities for the level of long-term care for which the license (new or renewal) is to be granted.

Facility, Community Living - a place of residence as limited in these standards for between five and 80 ambulatory adults who are mildly or moderately mentally retarded with a potential for being absorbed into the mainstream of community life.

Facility, Intermediate Care - a facility which provides basic nursing care and other restorative services under periodic medical direction. Many of these services may require skill in administration. Such facilities are for residents who have long-term illnesses or disabilities which may have reached a relatively stable plateau.

Facility, Intermediate Care for the Developmentally Disabled - when used in this Part, is a facility of three or more persons, or distinct part thereof, serving residents of which more than 50 percent are developmentally disabled. Facilities with any number less than 50 percent of developmentally disabled residents, who are determined by the Department with consultation from the Division of Developmental Disabilities, Illinois Department of Mental Health and Developmental Disabilities to need organized social support and training programs, must comply with the program requirements in this Part.

FACILITY OR LONG-TERM CARE FACILITY - A PRIVATE HOME, INSTITUTION, BUILDING, RESIDENCE, OR ANY OTHER PLACE, WHETHER OPERATED FOR PROFIT OR NOT, OR A COUNTY HOME FOR THE INFIRM AND CHRONICALLY ILL OPERATED PURSUANT TO DIVISION 5-21 OR 5-22 OF THE COUNTIES CODE (Ill. Rev. Stat. 1991, ch. 34, pars. 5-21001 et seq. and 5-22001 et seq.), OR ANY SIMILAR INSTITUTION OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OF ILLINOIS, WHICH PROVIDES, THROUGH ITS OWNERSHIP OR MANAGEMENT, PERSONAL CARE, SHELTERED CARE OR NURSING FOR THREE OR MORE PERSONS, NOT RELATED TO THE APPLICANT OR OWNER BY BLOOD OR MARRIAGE. IT INCLUDES SKILLED NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES AS THOSE TERMS ARE DEFINED IN TITLE XVIII AND TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C.A. 1395 et seq. and 1936 et seq.). A "facility" may consist of more than one building as long as the buildings are on the same tract, or adjacent tracts of land. However, there shall be no more than one "facility" in any one building. "FACILITY" DOES NOT INCLUDE THE FOLLOWING:

- A HOME, INSTITUTION, OR OTHER PLACE OPERATED BY THE FEDERAL GOVERNMENT OR AGENCY THEREOF, OR BY THE STATE OF ILLINOIS;
- A HOSPITAL, SANITARIUM, OR OTHER INSTITUTION WHOSE

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dietetic education.

Direct Care Aide - Any person who provides nursing care, personal care or psychosocial support to residents of specialized living facilities, regardless of title, and who is not a Qualified Professional, as defined in these rules. Direct Care Aides must function under the supervision of a licensed nurse when performing nursing or personal care duties.

Direct Supervision - means that work is performed under the guidance and direction of a supervisor who is responsible for the work, who plans work and methods, who is available on short notice to answer questions and deal with problems that are not strictly routine, who regularly reviews the work performed, and who is accountable for the results.

DIRECTOR - THE DIRECTOR OF PUBLIC HEALTH OR HIS DESIGNEE.
(Section 1-110 of the Act)

Director of Nursing Service - the full-time Professional Registered Nurse who is directly responsible for the immediate supervision of the nursing services.

DISCHARGE - THE FULL RELEASE OF ANY RESIDENT FROM A FACILITY.
(Section 1-111 of the Act)

Distinct Part - an entire, physically identifiable unit consisting of all of the beds within that unit and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for a distinct part are established as set forth in the respective regulations governing the levels of services approved for the distinct part.

EMERGENCY - A SITUATION, PHYSICAL CONDITION OR ONE OR MORE PRACTICES, METHODS OR OPERATIONS WHICH PRESENT IMMINENT DANGER OF DEATH OR SERIOUS PHYSICAL OR MENTAL HARM TO RESIDENTS OF A FACILITY. (Section 1-112 of the Act)

Epilepsy - a chronic symptom of cerebral dysfunction, characterized by recurrent attacks, involving changes in the state of consciousness, sudden in onset, and of brief duration. Many attacks are accompanied by a seizure in which the person falls involuntarily.

Equivalent of a Graduate Licensed Practical Nurse - a licensed practical nurse, licensed by waiver, who successfully passes the proficiency examination approved by the U.S. Department of Health and Human Services shall be considered the equivalent of a licensed practical nurse who is a graduate of an approved school of practical nursing for the purposes of this Part.

Existing Long-Term Care Facility - any facility initially licensed as a health care facility

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PRINCIPAL ACTIVITY OR BUSINESS IS THE DIAGNOSIS, CARE, AND TREATMENT OF HUMAN ILLNESS THROUGH THE MAINTENANCE AND OPERATION AS ORGANIZED FACILITIES THEREFOR, WHICH IS REQUIRED TO BE LICENSED UNDER THE HOSPITAL LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 142 et seq.);

ANY "FACILITY FOR CHILD CARE" AS DEFINED IN THE CHILD CARE ACT OF 1969 (Ill. Rev. Stat. 1991, ch. 23, par. 2211 et seq.);

ANY "COMMUNITY LIVING FACILITY" AS DEFINED IN THE COMMUNITY LIVING FACILITIES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4181 et seq.);

ANY "COMMUNITY RESIDENTIAL ALTERNATIVE" AS DEFINED IN THE COMMUNITY RESIDENTIAL ALTERNATIVES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 621 et seq.);

FOR PERSONS WHO RELY EXCLUSIVELY UPON TREATMENT BY SPIRITUAL MEANS THROUGH PRAYER, IN ACCORDANCE WITH THE CREED OR TENETS OF ANY WELL-RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION. HOWEVER, SUCH NURSING HOME OR SANATORIUM SHALL COMPLY WITH ALL LOCAL LAWS AND RULES RELATING TO SANITATION AND SAFETY; OR

ANY FACILITY LICENSED BY THE DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES AS A COMMUNITY-INTEGRATED LIVING ARRANGEMENT AS DEFINED IN THE COMMUNITY-INTEGRATED LIVING ARRANGEMENTS LICENSURE AND CERTIFICATION ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1701 et seq.).

(Section 1-113 of the Act)

Facility, Skilled Nursing - when used in this Part is synonymous with a skilled nursing facility. A skilled nursing facility provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post acute phase of illness or during recurrences of symptoms in long-term illness.

Financial Responsibility - sufficient assets to provide adequate services such as: staff, heat, laundry, foods, supplies, and utilities for at least a two-month period of time.

Full-time - means on duty a minimum of 36 hours, four days per week.

Goal - an expected result or condition that involves a relatively long period of time to achieve, that is specified in behavioral terms in a statement of relatively broad scope, and that provides guidance in establishing specific, short-term objectives directed toward its attainment.

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Governing Body - the policy-making authority, whether an individual or a group, that exercises general direction over the affairs of a facility and establishes policies concerning its operation and the welfare of the individuals it serves.

GUARDIAN - A PERSON APPOINTED AS A GUARDIAN OF THE PERSON OR GUARDIAN OF THE ESTATE, OR BOTH, OF A RESIDENT UNDER THE PROBATE ACT OF 1975 (Ill. Rev. Stat. 1991, ch. 110 1/2, par. 1-1 et seq.) (Section 1-114 of the Act)

Habilitation - an effort directed toward the alleviation of a disability or toward increasing a person's level of physical, mental, social or economic functioning. Habilitation may include, but is not limited to, diagnosis, evaluation, medical services, residential care, day care, special living arrangements, training, education, sheltered employment, protective services, counseling and other services.

Health Services Supervisor - (Director of Nursing Service) the full-time Registered Nurse, or Licensed Practical Nurse, who is directly responsible for the immediate supervision of the health services in an Intermediate Care Facility.

Home for the Aged - any facility which is operated: by a not-for-profit corporation incorporated under, or qualified as a foreign corporation under, the General Not For Profit Corporation Act of 1986 (Ill. Rev. Stat. 1991, ch. 32, par. 101.01 et seq.); or, by a county pursuant to Division 5-22 of the Counties Code (Ill. Rev. Stat. 1991, ch. 34, par. 5-22001 et seq.); or, pursuant to a trust or endowment established for nonprofit, charitable purposes, and which provides maintenance, personal care, nursing or sheltered care to three or more residents, 90 percent of whom are 60 or more years of age.

Hospitalization - the care and treatment of a person in a hospital as an in-patient.

House Manager - a qualified person on duty 40 hours a week managing the Community Living Facility and responsible for its operation and its inhabitants.

Individual Educational Program (IEP) - a written statement for each resident that provides for specific education and related services. The Individual Education Program may be incorporated into the Individual Habilitation Plan (IHP).

Individual Habilitation Plan (IHP) - a total plan of care that is developed by the interdisciplinary team for each resident, and that is developed on the basis of all assessment results.

Institutional Occupancy - when used in this Part means Health Care Facilities, Group (a), as defined in Chapter 10, paragraph 10-0001 of the Life Safety Code, National Fire Protection Association (1985 Edition).

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Interdisciplinary Team - a group of persons that represents those professions, disciplines, or service areas that are relevant to identifying an individual's needs, and designs a program to meet those needs. This team shall include at least a physician, a social worker and other professionals. In Intermediate Care Facilities for The Developmentally Disabled (ICF-DDs) at least one member of the team shall be a Qualified Mental Retardation Professional.

Licensed Nursing Home Administrator - a person who is charged with the general administration and supervision of a facility and licensed under the Nursing Home Administrators Licensing and Disciplinary Act (Ill. Rev. Stat. 1991, ch. 111, par. 3651 et seq.).

Licensed Practical Nurse - a person with a valid Illinois license to practice as a practical nurse.

LICENSEE - THE PERSON OR ENTITY LICENSED TO OPERATE THE FACILITY AS PROVIDED UNDER THE ACT. (Section 1-115 of the Act)

Life Care Contract - a contract through which a facility agrees to provide maintenance and care for a resident throughout the remainder of the resident's life.

MAINTENANCE - FOOD, SHELTER, AND LAUNDRY SERVICES. (Section 1-116 of the Act)

Maladaptive Behavior - impairment in adaptive behavior as determined by a clinical psychologist or by a physician. Impaired adaptive behavior may be reflected in delayed maturation, reduced learning ability or inadequate social adjustment.

Medical Record Practitioner - a person who: is eligible for certification as a registered record administrator (RRA) or an accredited record technician (ART), by the American Medical Record Association under its requirements; or is a graduate of a school of medical record science that is accredited jointly by the American Medical Association and the American Medical Record Association.

Mentally Retarded and Mental Retardation - subaverage general intellectual functioning originating during the developmental period and associated with maladaptive behavior.

Misappropriation of Property - using a resident's cash, clothing, or other possessions without authorization by the resident or the resident's authorized representative; failure to return valuables after a resident's discharge; or failure to refund money after death or discharge when there is an unused balance in the resident's personal account.

Mobile Nonambulatory - unable to walk independently or without assistance, but able to

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move from place to place with the use of devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Mobile Resident - any resident who is able to move about either independently or with the aid of assistive devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Monitor - a qualified person placed in a facility by the Department to observe operations of the facility, assist the facility by advising it on how to comply with the State regulations, and who reports periodically to the Department on the operations of the facility.

NEGLECT - A FAILURE IN A FACILITY TO PROVIDE ADEQUATE MEDICAL OR PERSONAL CARE OR MAINTENANCE, WHICH FAILURE RESULTS IN PHYSICAL OR MENTAL INJURY TO A RESIDENT OR IN THE DETERIORATION OF A RESIDENT'S PHYSICAL OR MENTAL CONDITION. (Section 1-117 of the Act)

Neglect means:

The failure to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition shall include any allegation where:

the alleged failure causing injury or deterioration is ongoing or
repetitious; or
a resident required medical treatment as a result of the alleged
failure; or
the failure is alleged to have caused a noticeable negative impact on
a resident's health, behavior or activities for more than 24 hours.

New Long-Term Care Facility - any facility initially licensed as a health care facility by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, on or after March 1, 1980. New long-term care facilities shall meet the design and construction standards for new facilities for the level of long-term care for which the license (new or renewal) is to be granted.

Normalization - the principle of helping individuals to obtain an existence as close to normal as possible, by making available to them patterns and conditions of everyday life that are as close as possible to the norms and patterns of the mainstream of society.

NURSE - A REGISTERED NURSE OR A LICENSED PRACTICAL NURSE AS DEFINED IN THE ILLINOIS NURSING ACT OF 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 3501 et seq.). (Section 1-118 of the Act)

Nursing Assistant - Any person who provides nursing care or personal care to residents

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of licensed long-term care facilities, regardless of title, and who is not otherwise licensed, certified or registered by the Department of Professional Regulation to render medical care. Other titles often used to refer to nursing assistants include, but are not limited to, nurse's aide, orderly and nurse technician. Nursing assistants must function under the supervision of a licensed nurse.

Nursing Care - a complex of activities which carries out the diagnostic, therapeutic, and rehabilitative plan as prescribed by the physician; care for the resident's environment; observing symptoms and reactions and taking necessary measures to carry out nursing procedures involving understanding of cause and effect in order to safeguard life and health.

Nursing Unit - a physically identifiable designated area of a facility consisting of all the beds within the designated area, but having no more than 75 beds, none of which are more than 120 feet from the nurse's station.

Objective - an expected result or condition that involves a relatively short period of time to achieve, that is specified in behavioral terms, and that is related to the achievement of a goal.

Occupational Therapist, Registered (OTR) - a person who is registered with the Department of Professional Regulation as an occupational therapist under the Illinois Occupational Therapy Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 3701 et seq.).

Occupational Therapy Assistant - a person who is registered with the Department of Professional Regulation as a certified occupational therapy assistant under the Illinois Occupational Therapy Practice Act.

Operator - the person responsible for the control, maintenance and governance of the facility, its personnel and physical plant.

Other Resident Injury - occurs where a resident is alleged to have suffered physical or mental harm and the allegation does not fall within the definition of abuse or neglect.

Oversight - general watchfulness and appropriate reaction to meet the total needs of the residents, exclusive of nursing or personal care. Oversight shall include, but is not limited to, social, recreational and employment opportunities for residents who, by reason of mental disability, or in the opinion of a licensed physician, are in need of residential care.

OWNER - THE INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION OR OTHER PERSON WHO OWNS A FACILITY. IN THE EVENT A FACILITY IS OPERATED BY A PERSON WHO LEASES THE PHYSICAL PLANT, WHICH IS

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OWNED BY ANOTHER PERSON, "OWNER" MEANS THE PERSON WHO OPERATES THE FACILITY, EXCEPT THAT IF THE PERSON WHO OWNS THE PHYSICAL PLANT IS AN AFFILIATE OF THE PERSON WHO OPERATES THE FACILITY AND HAS SIGNIFICANT CONTROL OVER THE DAY-TO-DAY OPERATIONS OF THE FACILITY, THE PERSON WHO OWNS THE PHYSICAL PLANT SHALL INCUR JOINTLY AND SEVERALLY WITH THE OWNER ALL LIABILITIES IMPOSED ON AN OWNER UNDER THE ACT. (Section 1-119 of the Act)

Person - any individual, partnership, corporation, association, municipality, political subdivision, trust, estate or other legal entity whatsoever.

PERSONAL CARE - ASSISTANCE WITH MEALS, DRESSING, MOVEMENT, BATHING, OR OTHER PERSONAL NEEDS, OR GENERAL SUPERVISION AND OVERSIGHT OF THE PHYSICAL AND MENTAL WELL-BEING OF AN INDIVIDUAL, EXCLUSIVE OF NURSING, WHO BECAUSE OF AGE, PHYSICAL OR MENTAL DISABILITY, EMOTIONAL OR BEHAVIOR DISORDER, OR MENTAL RETARDATION IS INCAPABLE OF MAINTAINING A PRIVATE, INDEPENDENT RESIDENCE, OR WHO IS INCAPABLE OF MANAGING HIS PERSON WHETHER OR NOT A GUARDIAN HAS BEEN APPOINTED. (Section 1-120 of the Act)

Pharmacist, Registered - a person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4121 et seq.).

Physical Therapist Assistant - a person who has graduated from a two year college level program approved by the American Physical Therapy Association.

Physical Therapist - a person who is registered with the Department of Professional Regulation as a physical therapist under the Illinois Physical Therapy Act (Ill. Rev. Stat. 1991, ch. 111 par. 4251 et seq.).

Physician - any person licensed by the State of Illinois to practice medicine in all its branches as provided in the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.).

Probationary License - an initial license issued for a period of 120 days during which time the Department will determine the qualifications of the applicant.

Program Coordinator - a qualified person directly responsible for the overall program, operation and management of a Community Living Facility.

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Program Unit - a resident care unit in Specialized Living Facilities equivalent to a nursing unit in Skilled Nursing facilities as defined in this Part.

Psychiatrist - a physician who has had at least three years of formal training or primary experience in the diagnosis and treatment of mental illness.

Psychologist - a person who is licensed by the Illinois Department of Professional Regulation to practice clinical psychology under the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 5351 et seq.).

Qualified Mental Retardation Professional - a person who has at least one year of experience working directly with individuals with developmental disabilities and meets at least one of the following additional qualifications:

Be a physician as defined in this Section.

Be a registered nurse as defined in this Section.

Hold at least a bachelor's degree in one of the following fields: occupational therapy, physical therapy, psychology, social work, speech or language pathology, recreation (or a recreational specialty area such as art, dance, music, or physical education), dietary services or dietetics, or a human services field (such as sociology, special education, or rehabilitation counseling).

Qualified Professional - a person who meets the educational, technical and ethical criteria of a health care profession, as evidenced by eligibility for membership in an organization established by the profession for the purpose of recognizing those persons who meet such criteria; and who is licensed, registered, or certified by the State of Illinois, if required.

REASONABLE VISITING HOURS - ANY TIME BETWEEN THE HOURS OF 10 A.M. AND 8 P.M. DAILY. (Section 1-121 of the Act)

Registered Nurse - a person with a valid Illinois license from the Illinois Department of Professional Regulation to practice as a registered professional nurse under the Illinois Nursing Act of 1987.

REPEAT VIOLATION - FOR PURPOSES OF ASSESSING FINES UNDER SECTION 3-305 OF THE ACT, A VIOLATION THAT HAS BEEN CITED DURING ONE INSPECTION OF THE FACILITY FOR WHICH A subsequent inspection indicates that AN ACCEPTED PLAN OF CORRECTION WAS NOT COMPLIED WITH, within a period of not more than twelve months from the issuance of the initial violation. A REPEAT VIOLATION SHALL NOT BE A NEW CITATION OF THE SAME RULE, UNLESS THE LICENSEE IS NOT SUBSTANTIALLY ADDRESSING THE ISSUE ROUTINELY THROUGHOUT THE FACILITY. (Section 3-305(7) of the Act)

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Reputable Moral Character - having no history of a conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or of a corporation, of any of its officers, or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, or in the case of the conviction of a misdemeanor by a court not of record, as shown by other evidence; or other satisfactory evidence that the moral character of the applicant, or manager, or supervisor of the facility is not reputable.

RESIDENT - PERSON RESIDING IN AND RECEIVING PERSONAL CARE FROM A FACILITY. (Section 1-122 of the Act)

Resident Services Director - the full-time administrator, or an individual on the professional staff in the facility, who is directly responsible for the coordination and monitoring of the residents' overall plans of care in an intermediate care facility.

RESIDENT'S REPRESENTATIVE - A PERSON OTHER THAN THE OWNER, OR AN AGENT OR EMPLOYEE OF A FACILITY NOT RELATED TO THE RESIDENT, DESIGNATED IN WRITING BY A RESIDENT TO BE HIS REPRESENTATIVE, OR THE RESIDENT'S GUARDIAN, OR THE PARENT OF A MINOR RESIDENT FOR WHOM NO GUARDIAN HAS BEEN APPOINTED. (Section 1-123 of the Act)

Restorative Care - a health care process designed to assist residents to attain and maintain the highest degree of function of which they are capable (physical, mental, and social).

Restraint of a Resident - the application of a device to limit movements.

Room - a part of the inside of a facility that is partitioned continuously from floor to ceiling with openings closed with glass or hinged doors.

Safety Device - any equipment or protective device used on a bed, chair, or resident which prevents him from falling or otherwise injuring himself. Examples are: bedside rails; geriatric or adaptive chairs; a wide band, vest or sheet applied to prevent falling out of a bed or chair; and hand socks applied to prevent injuring one's self.

Sanitization - the reduction of pathogenic organisms on a utensil surface to a safe level, which is accomplished through the use of steam, hot water, or chemicals.

Satisfactory - same as adequate.

Seclusion - the retention of a resident in a room which the resident cannot open.

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Self Preservation - the ability to follow directions or recognize impending danger or emergency situations and react by avoiding or leaving the unsafe area.

SHELTERED CARE - MAINTENANCE AND PERSONAL CARE. (Section 1-124 of the Act)

Social Worker, Qualified - a person who:

is a licensed social worker or a licensed clinical social worker under the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 6351 et seq.); and
is a graduate of a school of social work which has been approved by the Council on Social Work Education (some schools are approved for Bachelor's Degree programs and others for Master's Degree programs); and
has one year of social work experience in a health care setting.

State Fire Marshal - the Fire Marshal of the Office of the State Fire Marshal, Division of Fire Prevention.

Sterilization - the act or process of destroying completely all forms of microbial life, including viruses.

STOCKHOLDER OF A CORPORATION - ANY PERSON WHO, DIRECTLY OR INDIRECTLY, BENEFICIALLY OWNS, HOLDS OR HAS THE POWER TO VOTE, AT LEAST FIVE PERCENT OF ANY CLASS OF SECURITIES ISSUED BY THE CORPORATION. (Section 1-125 of the Act)

Story - when used in this Part means that portion of a building between the upper surface of any floor and the upper surface of the floor above except that the topmost story shall be the portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

STUDENT INTERN - MEANS ANY PERSON WHOSE TOTAL TERM OF EMPLOYMENT IN ANY FACILITY DURING ANY 12-MONTH PERIOD IS EQUAL TO OR LESS THAN 90 CONTINUOUS DAYS, AND WHOSE TERM OF EMPLOYMENT IS EITHER:

AN ACADEMIC CREDIT REQUIREMENT IN A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, OR
IMMEDIATELY SUCCEEDS A FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, PROVIDED THAT SUCH PERSON IS REGISTERED FOR ANOTHER FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION WHICH QUARTER, SEMESTER

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OR TRIMESTER WILL COMMENCE IMMEDIATELY FOLLOWING THE TERM OF EMPLOYMENT. (Section 1-125.1 of the Act)

Substantial - meeting requirements except for variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.280(q)(8), 300.280(k)(2) and 300.280(k)(4).

Substantial failure - the failure to meet requirements other than a variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.180(b)(1) and 300.260(f).

Sufficient - Same as adequate.

Supervision - authoritative procedural guidance by a qualified person for the accomplishment of a function or activity within his sphere of competence, with initial direction and periodic inspection of the actual act of accomplishing the function or activity. Unless otherwise stated in this Part, the supervisor must be on the premises if the person does not meet assistant level (two-year training program) qualifications specified in these definitions.

Therapeutic Recreation Specialist - a person who is certified by the National Council for Therapeutic Recreation Certification and who meets the minimum standards it has established for classification as a Therapeutic Recreation Specialist.

Time Out - removing an individual from a situation that results in undesirable behavior. It is a behavior modification procedure which is developed and implemented under the supervision of a qualified professional.

TITLE XVIII - TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREAFTER AMENDED. (Section 1-126 of the Act)

TITLE XIX - TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREAFTER AMENDED. (Section 1-127 of the Act)

TRANSFER - A CHANGE IN STATUS OF A RESIDENT'S LIVING ARRANGEMENTS FROM ONE FACILITY TO ANOTHER FACILITY. (Section 1-128 of the Act)

TYPE A VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A

FACILITY PRESENTING A SUBSTANTIAL PROBABILITY THAT DEATH OR SERIOUS MENTAL OR PHYSICAL HARM TO A RESIDENT WILL RESULT THEREFROM. (Section 1-129 of the Act)

TYPE B VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY DIRECTLY THREATENING TO THE HEALTH, SAFETY OR WELFARE OF A RESIDENT. (Section 1-130 of the Act)

Unit - an entire physically identifiable residence area, in Community Living Facilities consisting of not less than five nor more than 20 beds, and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for each distinct resident area are established as set forth in the respective regulations governing the approved levels of service.

Universal Progress Notes - a common record with periodic narrative documentation by all persons involved in resident care.

Valid License - a license which is unsuspended, unrevoked and unexpired.

(Source: Emergency amendment at 17 Ill. Reg. 7974, effective May 6, 1993, for a maximum of 150 days)

ILLINOIS REGISTER

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1) The Heading of the Part:

Sheltered Care Facilities Code

2) Code Citation: 77 Ill. Adm. Code 330

3) Section Numbers: Emergency Action:
330.330 Amendments

4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4151-101 et seq.
[210 ILCS 45/1-101 et seq. (1992)]

5) Effective Date of Emergency Amendments:

May 6, 1993

6) If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:

N/A

7) Date Filed in Agency's Principal Office:

May 6, 1993

8) Reason for Emergency:

The Department of Public Health has adopted these amendments to implement a consent decree in the case of Protection and Advocacy, Inc. & Al v. John R. Lumpkin. The settlement agreement, which was signed on February 16, 1993, requires the Department to adopt emergency amendments to Parts 300, 330, 350, and 390 of the Illinois Administrative Code. Protection and Advocacy, Inc., is an Illinois not-for-profit corporation that advocates for the rights of mentally ill individuals and persons with developmental disabilities. The Settlement Agreement concerns the Department's operation of the 24-hour hotline required by the Abused and Neglected Long-Term Care Facility Residents Reporting Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4161 et seq.) [210 ILCS 30/1 et seq.]. The Settlement Agreement requires the Department to use court-ordered procedures in operating the hotline; to categorize allegations of abuse, neglect, or other resident injury in a uniform fashion; to report other resident injuries to the Department in the same manner as reports of abuse or neglect; to file

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emergency Amendments to Parts 300, 330, 350, and 390 to include expanded definitions of "abuse," "neglect," and "other resident injury"; and to handle as "anonymous" complaints wherein a named complainant cannot be located or proves to be fictitious.

9) A Complete Description of the Subjects and Issues Involved:

Section 330.330 - The definitions of "abuse" and "neglect" are being amended to include information required by the Settlement Agreement in the case of *P & A v. Lumpkin*. A definition of "Other Resident Injury" is added. The Department plans to propose identical amendments in accordance with the regular rulemaking requirements of the Illinois Administrative Procedure Act.

10) Are there any proposed amendments to this Part pending?

| Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|----------------------------|
| 330.1125 | New Section | 16 Ill. Reg. 16531 |
| 330.730 | Amendments | 16 Ill. Reg. 17540 |
| 330.175 | Amendments | 17 Ill. Reg. 1321 |
| 330.180 | Amendments | 17 Ill. Reg. 1321 |
| 330.270 | Amendments | 17 Ill. Reg. 1321 |
| 330.730 | Amendments | 17 Ill. Reg. 1321 |
| 330.916 | Repealer | 17 Ill. Reg. 1321 |
| 330.4210 | Amendments | 17 Ill. Reg. 1321 |
| 330.4330 | Amendments | 17 Ill. Reg. 1321 |

11) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

12) Information and questions regarding this amendment shall be directed to:

Name: Gail M. DeVito
Address: Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson Street, Fifth Floor
Springfield, Illinois 62761
Telephone: (217) 782-6187

The full text of the emergency amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER C: LONG-TERM CARE FACILITIES

PART 330

SHELTERED CARE FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

| Section | |
|---------|--|
| 330.110 | General Requirements |
| 330.120 | Application for License |
| 330.130 | Licensee |
| 330.140 | Issuance of an Initial License for a New Facility |
| 330.150 | Issuance of an Initial License Due to a Change of Ownership |
| 330.160 | Issuance of a Renewal License |
| 330.165 | Criteria for Adverse Licensure Actions |
| 330.170 | Denial of Initial License |
| 330.175 | Denial of Renewal of License |
| 330.180 | Revocation of License |
| 330.190 | Experimental Program Conflicting With Requirements |
| 330.200 | Inspections, Surveys, Evaluations and Consultation |
| 330.210 | Filing an Annual Attested Financial Statement |
| 330.220 | Information to Be Made Available to the Public By the Department |
| 330.230 | Information to Be Made Available to the Public By the Licensee |
| 330.240 | Municipal Licensing |
| 330.250 | Ownership Disclosure |
| 330.260 | Issuance of Conditional Licenses |
| 330.270 | Monitor and Receivership |
| 330.271 | Presentation of Findings |
| 330.272 | Determination to Issue a Notice of Violation or Administrative Warning |
| 330.274 | Determination of the Level of a Violation |
| 330.276 | Notice of Violation |
| 330.277 | Administrative Warning |
| 330.278 | Plans of Correction |
| 330.280 | Reports of Correction |
| 330.282 | Conditions for Assessment of Penalties |
| 330.284 | Calculation of Penalties |
| 330.286 | Determination to Assess Penalties |
| 330.288 | Reduction or Waiver of Penalties |
| 330.290 | Quarterly List of Violators |
| 330.300 | Alcoholism Treatment Programs In Long-Term Care Facilities |
| 330.310 | Department May Survey Facilities Formerly Licensed |

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330.690Resident Care Policies
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Medical Emergencies
Behavior Emergencies
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SUBPART F: NURSING AND PERSONAL CARE

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SUBPART G: RESIDENT CARE SERVICES

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SUBPART I: RESIDENT AND FACILITY RECORDS

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SUBPART N: DESIGN AND CONSTRUCTION STANDARDS
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330.APPENDIX A Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities
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 330.TABLE D Disaster Preparedness Parameters - Relative Humidity and Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 807, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 933, effective July 28, 1980; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 14547, effective November 8, 1982; amended at 6 Ill. Reg. 14681, effective November 15, 1982; amended at 7 Ill. Reg. 1963, effective January 28, 1983; amended at 7 Ill. Reg. 6973, effective May 17, 1983; amended at 7 Ill. Reg. 15825, effective November 15, 1983; amended at 8 Ill. Reg. 15596, effective August 15, 1984; amended at 8 Ill. Reg. 15941, effective August 17, 1984; codified at 8 Ill. Reg. 19790; amended at 8 Ill. Reg. 24241, effective November 28, 1984; amended at 8 Ill. Reg. 24696, effective December 7, 1984; amended at 9 Ill. Reg. 2952, effective February 25, 1985; amended at 9 Ill. Reg. 10974, effective July 1, 1985; amended at 11 Ill. Reg. 16879, effective October 1, 1987; amended at 12 Ill. Reg. 1017, effective December 24, 1987; amended at 12 Ill. Reg. 16870, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18939, effective

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October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 6562, effective April 17, 1989; amended at 13 Ill. Reg. 19580, effective December 1, 1989; amended at 14 Ill. Reg. 14928, effective October 1, 1990; amended at 15 Ill. Reg. 516, effective January 1, 1991; amended at 16 Ill. Reg. 651, effective January 1, 1992; amended at 16 Ill. Reg. 14370, effective September 3, 1992; emergency amendment at 17 Ill. Reg. 2405, effective February 3, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 8000, effective May 6, 1993, for a maximum of 150 days.

NOTE: Italics and capitalization denote statutory language.

Section 330.330
 EMERGENCY Definitions

The terms defined in this Section are terms that are used in one or more of the sets of licensing standards established by the Department to license various levels of long-term care. They are defined as follows:

ABUSE - ANY PHYSICAL OR MENTAL INJURY OR SEXUAL ASSAULT INFLECTED ON A RESIDENT OTHER THAN BY ACCIDENTAL MEANS IN A FACILITY. (Section 1-103 of the Act)

Abuse means:

Physical abuse refers to the infliction of injury on a resident that occurs other than by accidental means and that requires (whether or not actually given) medical attention.

Mental injury arises from the following types of conduct:

Verbal abuse refers to the use by a licensee, employee or agent of oral, written or gestured language that includes disparaging and derogatory terms to residents or within their hearing or seeing distance, regardless of their age, ability to comprehend or disability.

Mental abuse includes, but is not limited to, humiliation,

harassment, threats of punishment or deprivation, or offensive

physical contact by a licensee, employee or agent.

Sexual harassment or sexual coercion perpetrated by a licensee,

employee or agent.

Sexual assault.

ACCESS - THE RIGHT TO:

ENTER ANY FACILITY;

COMMUNICATE PRIVATELY AND WITHOUT RESTRICTION WITH

ANY RESIDENT WHO CONSENTS TO THE COMMUNICATION;

SEEK CONSENT TO COMMUNICATE PRIVATELY AND WITHOUT

RESTRICTION WITH ANY RESIDENT;

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INSPECT THE CLINICAL AND OTHER RECORDS OF A RESIDENT WITH THE EXPRESS WRITTEN CONSENT OF THE RESIDENT; OBSERVE ALL AREAS OF THE FACILITY EXCEPT THE LIVING AREA OF ANY RESIDENT WHO PROTESTS THE OBSERVATION. (Section 1-104 of the Act)

Act - as used in this Part, the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.).

Activity Program - a specific planned program of varied group and individual activities geared to the individual resident's needs and available for a reasonable number of hours each day.

Adaptive Behavior - the effectiveness or degree with which the individual meets the standards of personal independence and social responsibility expected of his age and cultural group.

Addition - any construction attached to the original building which increases the area or cubic content of the building.

Adequate - enough in either quantity or quality, as determined by a reasonable person familiar with the professional standards of the subject under review, to meet the needs of the residents of a facility under the particular set of circumstances in existence at the time of review.

Administrative Warning - a notice to a facility issued by the Department under Section 300.277 of this Part and Section 3-303.2 of the Act, which indicates that a situation, condition, or practice in the facility violates the Act or the Department's rules, but is not a type A or type B violation.

Administrator - the person who is directly responsible for the operation and administration of the facility, irrespective of the assigned title. (See Licensed Nursing Home Administrator.)

Advocate - a person who represents the rights and interests of an individual as though they were the person's own, in order to realize the rights to which the individual is entitled, obtain needed services, and remove barriers to meeting the individual's needs.

AFFILIATE MEANS:

WITH RESPECT TO A PARTNERSHIP, EACH PARTNER THEREOF.

WITH RESPECT TO A CORPORATION, EACH OFFICER, DIRECTOR AND STOCKHOLDER THEREOF.

WITH RESPECT TO A NATURAL PERSON: ANY PERSON RELATED IN

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THE FIRST DEGREE OF KINSHIP TO THAT PERSON; EACH PARTNERSHIP AND EACH PARTNER THEREOF OF WHICH THAT PERSON OR ANY AFFILIATE OF THAT PERSON IS A PARTNER; AND EACH CORPORATION IN WHICH THAT PERSON OR ANY AFFILIATE OF THAT PERSON IS AN OFFICER, DIRECTOR OR STOCKHOLDER. (Section 1-106 of the Act)

Aide or Orderly - any person providing direct personal care, training or habilitation services to residents.

Alteration - any construction change or modification of an existing building which does not increase the area or cubic content of the building.

Ambulatory Resident - a person who is physically and mentally capable of walking without assistance, or is physically able with guidance to do so, including the ascent and descent of stairs.

APPLICANT - ANY PERSON MAKING APPLICATION FOR A LICENSE. (Section 1-107 of the Act)

Appropriate - term used to indicate that a requirement is to be applied according to the needs of a particular individual or situation.

Assessment - the use of an objective system with which to evaluate the physical, social, developmental, behavioral, and psychosocial aspects of an individual.

Audiologist - a person who is certified or is eligible for a certificate of clinical competence in audiology granted by the American Speech and Hearing Association under its requirements in effect on the publication of this provision or meets the educational requirements for certification, and is in the process of accumulating the supervised experience required for certification.

Autism - A syndrome described as consisting of withdrawal, very inadequate social relationships, exceptional object relationships, language disturbances and monotonously repetitive motor behavior; many children with autism will also be seriously impaired in general intellectual functioning; mental illness observed in young children characterized by severe withdrawal and inappropriate response to external stimulation.

Autoclave - an apparatus for sterilizing by superheated steam under pressure.

Auxiliary Personnel - all nursing personnel in intermediate care facilities and skilled nursing facilities other than licensed personnel.

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Basement - when used in this Part, means any story or floor level below the main or street floor. Where due to grade difference, there are two levels each qualifying as a street floor, a basement is any floor below the level of the two street floors. Basements shall not be counted in determining the height of a building in stories.

Behavior Modification - treatment to be used to establish or change behavior patterns.

Cerebral Palsy - a disorder dating from birth or early infancy, nonprogressive, characterized by examples of aberrations of motor function (paralysis, weakness, incoordination) and often other manifestations of organic brain damage such as sensory disorders, seizures, mental retardation, learning difficulty and behavior disorders.

Certification for Title XVIII and XIX - the issuance of a document by the Department to the Department of Health and Human Services or the Department of Public Aid verifying compliance with applicable statutory or regulatory requirements for the purposes of participation as a provider of care and service in a specific Federal or State health program.

Charge Nurse - a charge nurse is a registered professional nurse or a licensed practical nurse in charge of the nursing activities for a specific unit or floor during a tour of duty.

Community Alternatives - service programs in the community provided as an alternative to institutionalization.

Community Living Facility - see Facility, Community Living.

Continuing Care Contract - a contract through which a facility agrees to supplement all forms of financial support for a resident throughout the remainder of the resident's life.

Contract - a binding agreement between a resident or the resident's guardian (or, if the resident is a minor, the resident's parent) and the facility or its agent.

Corporal Punishment - painful stimuli inflicted directly upon the body.

Cruelty and Indifference to Welfare of the Resident - failure to provide a resident with the care and supervision he requires; or, the infliction of mental or physical abuse. Examples of physical abuse are restraining a resident, striking, slapping, hitting, or withholding food as punishment. Examples of mental abuse are swearing, threatening and seclusion.

Dentist - any person licensed by the State of Illinois to practice dentistry, includes persons holding a Temporary Certificate of Registration, as provided in the Illinois

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Dental Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 2301 et seq.)

Department - as used in this Part means the Illinois Department of Public Health.

Developmentally Disabled - those individuals whose disability is attributable to mental retardation, cerebral palsy, epilepsy, autism, or other pathological conditions which generally originate before such individuals attain age 18, and which continue, or can be expected to continue, indefinitely, and which constitute a substantial functioning handicap to such individuals.

Developmental Disability - a severe, chronic disability of a person which:
is attributable to a mental or physical impairment or combination of mental and physical impairment or combination of mental and physical impairments;
is manifest before age 22;
is likely to continue indefinitely;
results in substantial functional limitations in three or more of the following areas of major life activities:

- self-care;
- receptive and expressive language;
- learning;
- mobility;
- self-direction;
- capacity for independent living; and
- economic self-sufficiency; and

reflects the person's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of life-long or extended duration and individually planned and coordinated.

Dietetic Service Supervisor - a person who:

- is a qualified dietitian; or
- is a graduate of a dietetic technician or dietetic assistant training program, corresponding or classroom, approved by the American Dietetic Association; or
- is a graduate of a Department-approved course that provides 90 or more hours of classroom instruction in food service supervision and has had experience as a supervisor in a health care institution, which included consultation from a dietitian; or
- has training and experience in food service supervision and management in a military service equivalent in content to the program in paragraph (2) or (3) of this definition.

Dietitian - a person who:

- is eligible for registration by the American Dietetic Association; or
- has a baccalaureate degree with major studies in food and nutrition, dietetics,

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and food service management, has one year of supervisory experience in the dietetic service of a health care institution, and participates annually in continuing dietetic education.

Direct Care Aide - Any person who provides nursing care, personal care or psychosocial support to residents of specialized living facilities, regardless of title, and who is not a Qualified Professional, as defined in these rules. Direct Care Aides must function under the supervision of a licensed nurse when performing nursing or personal care duties.

Direct Supervision - means that work is performed under the guidance and direction of a supervisor who is responsible for the work, who plans work and methods, who is available on short notice to answer questions and deal with problems that are not strictly routine, who regularly reviews the work performed, and who is accountable for the results.

DIRECTOR - THE DIRECTOR OF PUBLIC HEALTH OR HIS DESIGNEE.
(Section 1-110 of the Act)

Director of Nursing Service - the full-time Professional Registered Nurse who is directly responsible for the immediate supervision of the nursing services.

DISCHARGE - THE FULL RELEASE OF ANY RESIDENT FROM A FACILITY.
(Section 1-111 of the Act)

Distinct Part - an entire, physically identifiable unit consisting of all of the beds within that unit and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for a distinct part are established as set forth in the respective regulations governing the levels of services approved for the distinct part.

EMERGENCY - A SITUATION, PHYSICAL CONDITION OR ONE OR MORE PRACTICES, METHODS OR OPERATIONS WHICH PRESENT IMMINENT DANGER OF DEATH OR SERIOUS PHYSICAL OR MENTAL HARM TO RESIDENTS OF A FACILITY. (Section 1-112 of the Act)

Epilepsy - a chronic symptom of cerebral dysfunction, characterized by recurrent attacks, involving changes in the state of consciousness, sudden in onset, and of brief duration. Many attacks are accompanied by a seizure in which the person falls involuntarily.

Equivalent of a Graduate Licensed Practical Nurse - a licensed practical nurse, licensed by waiver, who successfully passes the proficiency examination approved by the U.S. Department of Health and Human Services shall be considered the equivalent of a

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licensed practical nurse who is a graduate of an approved school of practical nursing for the purposes of this Part.

Existing Long-Term Care Facility - any facility initially licensed as a health care facility or approved for construction by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, prior to March 1, 1980. Existing long-term care facilities shall meet the design and construction standards for existing facilities for the level of long-term care for which the license (new or renewal) is to be granted.

Facility, Community Living - a place of residence as limited in these standards for between five and 80 ambulatory adults who are mildly or moderately mentally retarded with a potential for being absorbed into the mainstream of community life.

Facility, Intermediate Care - a facility which provides basic nursing care and other restorative services under periodic medical direction. Many of these services may require skill in administration. Such facilities are for residents who have long-term illnesses or disabilities which may have reached a relatively stable plateau.

Facility, Intermediate Care for the Developmentally Disabled - when used in this Part, is a facility of three or more persons, or distinct part thereof, serving residents of which more than 50 percent are developmentally disabled. Facilities with any number less than 50 percent of developmentally disabled residents, who are determined by the Department with consultation from the Division of Developmental Disabilities, Illinois Department of Mental Health and Developmental Disabilities to need organized social support and training programs, must comply with the program requirements in this Part.

FACILITY OR LONG-TERM CARE FACILITY - A PRIVATE HOME, INSTITUTION, BUILDING, RESIDENCE, OR ANY OTHER PLACE, WHETHER OPERATED FOR PROFIT OR NOT, OR A COUNTY HOME FOR THE INFIRM AND CHRONICALLY ILL OPERATED PURSUANT TO DIVISION 5-21 OR 5-22 OF THE COUNTIES CODE (Ill. Rev. Stat. 1991, ch. 34, pars. 5-21001 et seq. and 5-22001 et seq.), OR ANY SIMILAR INSTITUTION OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OF ILLINOIS, WHICH PROVIDES, THROUGH ITS OWNERSHIP OR MANAGEMENT, PERSONAL CARE, SHELTERED CARE OR NURSING FOR THREE OR MORE PERSONS, NOT RELATED TO THE APPLICANT OR OWNER BY BLOOD OR MARRIAGE. IT INCLUDES SKILLED NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES AS THOSE TERMS ARE DEFINED IN TITLE XVIII AND TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT (42 U.S.C.A. 1395 et seq. and 1936 et seq.). A "facility" may consist of more than one building as long as the buildings are on the same tract, or adjacent tracts of land. However, there shall be no more than one "facility" in any one

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building. "FACILITY" DOES NOT INCLUDE THE FOLLOWING:

A HOME, INSTITUTION, OR OTHER PLACE OPERATED BY THE FEDERAL GOVERNMENT OR AGENCY THEREOF, OR BY THE STATE OF ILLINOIS;

A HOSPITAL, SANITARIUM, OR OTHER INSTITUTION WHOSE PRINCIPAL ACTIVITY OR BUSINESS IS THE DIAGNOSIS, CARE, AND TREATMENT OF HUMAN ILLNESS THROUGH THE MAINTENANCE AND OPERATION AS ORGANIZED FACILITIES THEREFOR, WHICH IS REQUIRED TO BE LICENSED UNDER THE HOSPITAL LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 142 et seq.);

ANY "FACILITY FOR CHILD CARE" AS DEFINED IN THE CHILD CARE ACT OF 1969 (Ill. Rev. Stat. 1991, ch. 23, par. 2211 et seq.);

ANY "COMMUNITY LIVING FACILITY" AS DEFINED IN THE COMMUNITY LIVING FACILITIES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4181 et seq.);

ANY "COMMUNITY RESIDENTIAL ALTERNATIVE" AS DEFINED IN THE COMMUNITY RESIDENTIAL ALTERNATIVES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 621 et seq.);

ANY NURSING HOME OR SANATORIUM OPERATED SOLELY BY AND FOR PERSONS WHO RELY EXCLUSIVELY UPON TREATMENT BY SPIRITUAL MEANS THROUGH PRAYER, IN ACCORDANCE WITH THE CREED OR TENETS OF ANY WELL-RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION. HOWEVER, SUCH NURSING HOME OR SANATORIUM SHALL COMPLY WITH ALL LOCAL LAWS AND RULES RELATING TO SANITATION AND SAFETY; OR

ANY FACILITY LICENSED BY THE DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES AS A COMMUNITY-INTEGRATED LIVING ARRANGEMENT AS DEFINED IN THE COMMUNITY-INTEGRATED LIVING ARRANGEMENTS LICENSURE AND CERTIFICATION ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1701 et seq.). (Section 1-113 of the Act)

Facility, Skilled Nursing - when used in this Part is synonymous with a skilled nursing facility. A skilled nursing facility provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post acute phase of illness or during recurrences of symptoms in long-term illness.

Financial Responsibility - sufficient assets to provide adequate services such as: staff, heat, laundry, foods, supplies, and utilities for at least a two-month period of time.

Full-time - means on duty a minimum of 36 hours, four days per week.

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Goal - an expected result or condition that involves a relatively long period of time to achieve, that is specified in behavioral terms in a statement of relatively broad scope, and that provides guidance in establishing specific, short-term objectives directed toward its attainment.

Governing Body - the policy-making authority, whether an individual or a group, that exercises general direction over the affairs of a facility and establishes policies concerning its operation and the welfare of the individuals it serves.

GUARDIAN - A PERSON APPOINTED AS A GUARDIAN OF THE PERSON OR GUARDIAN OF THE ESTATE, OR BOTH, OF A RESIDENT UNDER THE PROBATE ACT OF 1975 (Ill. Rev. Stat. 1991, ch. 110 1/2, par. 1-1 et seq.) (Section 1-114 of the Act)

Habilitation - an effort directed toward the alleviation of a disability or toward increasing a person's level of physical, mental, social or economic functioning. Habilitation may include, but is not limited to, diagnosis, evaluation, medical services, residential care, day care, special living arrangements, training, education, sheltered employment, protective services, counseling and other services.

Health Services Supervisor - (Director of Nursing Service) the full-time Registered Nurse, or Licensed Practical Nurse, who is directly responsible for the immediate supervision of the health services in an Intermediate Care Facility.

Home for the Aged - any facility which is operated: by a not-for-profit corporation incorporated under, or qualified as a foreign corporation under, the General Not For Profit Corporation Act of 1986 (Ill. Rev. Stat. 1991, ch. 32, par. 101.01 et seq.); or, by a county pursuant to Division 5-22 of the Counties Code (Ill. Rev. Stat. 1991, ch. 34, par. 5-22001 et seq.); or, pursuant to a trust or endowment established for nonprofit, charitable purposes, and which provides maintenance, personal care, nursing or sheltered care to three or more residents, 90 percent of whom are 60 or more years of age.

Hospitalization - the care and treatment of a person in a hospital as an in-patient.

House Manager - a qualified person on duty 40 hours a week managing the Community Living Facility and responsible for its operation and its inhabitants.

Individual Educational Program (IEP) - a written statement for each resident that provides for specific education and related services. The Individual Education Program may be incorporated into the Individual Habilitation Plan (IHP).

Individual Habilitation Plan (IHP) - a total plan of care that is developed by the

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interdisciplinary team for each resident, and that is developed on the basis of all assessment results.

Institutional Occupancy - when used in this Part means Health Care Facilities, Group (a), as defined in Chapter 10, paragraph 10-0001 of the Life Safety Code, National Fire Protection Association (1985 Edition).

Interdisciplinary Team - a group of persons that represents those professions, disciplines, or service areas that are relevant to identifying an individual's needs, and designs a program to meet those needs. This team shall include at least a physician, a social worker and other professionals. In Intermediate Care Facilities for The Developmentally Disabled (ICF-DDs) at least one member of the team shall be a Qualified Mental Retardation Professional.

Licensed Nursing Home Administrator - a person who is charged with the general administration and supervision of a facility and licensed under the Nursing Home Administrators Licensing and Disciplinary Act (Ill. Rev. Stat. 1991, ch. 111, par. 3651 et seq.).

Licensed Practical Nurse - a person with a valid Illinois license to practice as a practical nurse.

LICENSEE - THE PERSON OR ENTITY LICENSED TO OPERATE THE FACILITY AS PROVIDED UNDER THE ACT. (Section 1-115 of the Act)

Life Care Contract - a contract through which a facility agrees to provide maintenance and care for a resident throughout the remainder of the resident's life.

MAINTENANCE - FOOD, SHELTER, AND LAUNDRY SERVICES. (Section 1-116 of the Act)

Maladaptive Behavior - impairment in adaptive behavior as determined by a clinical psychologist or by a physician. Impaired adaptive behavior may be reflected in delayed maturation, reduced learning ability or inadequate social adjustment.

Medical Record Practitioner - a person who: is eligible for certification as a registered record administrator (RRA) or an accredited record technician (ART), by the American Medical Record Association under its requirements; or is a graduate of a school of medical record science that is accredited jointly by the American Medical Association and the American Medical Record Association.

Mentally Retarded and Mental Retardation - subaverage general intellectual functioning originating during the developmental period and associated with maladaptive behavior.

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Misappropriation of Property - using a resident's cash, clothing, or other possessions without authorization by the resident or the resident's authorized representative; failure to return valuables after a resident's discharge; or failure to refund money after death or discharge when there is an unused balance in the resident's personal account.

Mobile Nonambulatory - unable to walk independently or without assistance, but able to move from place to place with the use of devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Mobile Resident - any resident who is able to move about either independently or with the aid of assistive devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Monitor - a qualified person placed in a facility by the Department to observe operations of the facility, assist the facility by advising it on how to comply with the State regulations, and who reports periodically to the Department on the operations of the facility.

NEGLECT - A FAILURE IN A FACILITY TO PROVIDE ADEQUATE MEDICAL OR PERSONAL CARE OR MAINTENANCE, WHICH FAILURE RESULTS IN PHYSICAL OR MENTAL INJURY TO A RESIDENT OR IN THE DETERIORATION OF A RESIDENT'S PHYSICAL OR MENTAL CONDITION. (Section 1-117 of the Act)

Neglect means:

The failure to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition shall include any allegation where:

the alleged failure causing injury or deterioration is ongoing or
repetitious; or
a resident required medical treatment as a result of the alleged failure; or
the failure is alleged to have caused a noticeable negative impact on a resident's health, behavior or activities for more than 24 hours.

New Long-Term Care Facility - any facility initially licensed as a health care facility by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, on or after March 1, 1980. New long-term care facilities shall meet the design and construction standards for new facilities for the level of long-term care for which the license (new or renewal) is to be granted.

Normalization - the principle of helping individuals to obtain an existence as close to

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normal as possible, by making available to them patterns and conditions of everyday life that are as close as possible to the norms and patterns of the mainstream of society.

NURSE - A REGISTERED NURSE OR A LICENSED PRACTICAL NURSE AS DEFINED IN THE ILLINOIS NURSING ACT OF 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 3501 et seq.). (Section 1-118 of the Act)

Nursing Assistant - Any person who provides nursing care or personal care to residents of licensed long-term care facilities, regardless of title, and who is not otherwise licensed, certified or registered by the Department of Professional Regulation to render medical care. Other titles often used to refer to nursing assistants include, but are not limited to, nurse's aide, orderly and nurse technician. Nursing assistants must function under the supervision of a licensed nurse.

Nursing Care - a complex of activities which carries out the diagnostic, therapeutic, and rehabilitative plan as prescribed by the physician; care for the resident's environment; observing symptoms and reactions and taking necessary measures to carry out nursing procedures involving understanding of cause and effect in order to safeguard life and health.

Nursing Unit - a physically identifiable designated area of a facility consisting of all the beds within the designated area, but having no more than 75 beds, none of which are more than 120 feet from the nurse's station.

Objective - an expected result or condition that involves a relatively short period of time to achieve, that is specified in behavioral terms, and that is related to the achievement of a goal.

Occupational Therapist, Registered (OTR) - a person who is registered with the Department of Professional Regulation as an occupational therapist under the Illinois Occupational Therapy Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 3701 et seq.).

Occupational Therapy Assistant - a person who is registered with the Department of Professional Regulation as a certified occupational therapy assistant under the Illinois Occupational Therapy Practice Act.

Operator - the person responsible for the control, maintenance and governance of the facility, its personnel and physical plant.

Other Resident Injury - occurs where a resident is alleged to have suffered physical or mental harm and the allegation does not fall within the definition of abuse or neglect.

Oversight - general watchfulness and appropriate reaction to meet the total needs of the

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residents, exclusive of nursing or personal care. Oversight shall include, but is not limited to, social, recreational and employment opportunities for residents who, by reason of mental disability, or in the opinion of a licensed physician, are in need of residential care.

OWNER - THE INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION OR OTHER PERSON WHO OWNS A FACILITY. IN THE EVENT A FACILITY IS OPERATED BY A PERSON WHO LEASES THE PHYSICAL PLANT, WHICH IS OWNED BY ANOTHER PERSON, "OWNER" MEANS THE PERSON WHO OPERATES THE FACILITY, EXCEPT THAT IF THE PERSON WHO OWNS THE PHYSICAL PLANT IS AN AFFILIATE OF THE PERSON WHO OPERATES THE FACILITY AND HAS SIGNIFICANT CONTROL OVER THE DAY-TO-DAY OPERATIONS OF THE FACILITY, THE PERSON WHO OWNS THE PHYSICAL PLANT SHALL INCUR JOINTLY AND SEVERALLY WITH THE OWNER ALL LIABILITIES IMPOSED ON AN OWNER UNDER THE ACT. (Section 1-119 of the Act)

Person - any individual, partnership, corporation, association, municipality, political subdivision, trust, estate or other legal entity whatsoever.

PERSONAL CARE - ASSISTANCE WITH MEALS, DRESSING, MOVEMENT, BATHING, OR OTHER PERSONAL NEEDS, OR GENERAL SUPERVISION AND OVERSIGHT OF THE PHYSICAL AND MENTAL WELL-BEING OF AN INDIVIDUAL, EXCLUSIVE OF NURSING, WHO BECAUSE OF AGE, PHYSICAL OR MENTAL DISABILITY, EMOTIONAL OR BEHAVIOR DISORDER, OR MENTAL RETARDATION IS INCAPABLE OF MAINTAINING A PRIVATE, INDEPENDENT RESIDENCE, OR WHO IS INCAPABLE OF MANAGING HIS PERSON WHETHER OR NOT A GUARDIAN HAS BEEN APPOINTED. (Section 1-120 of the Act)

Pharmacist, Registered - a person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4121 et seq.).

Physical Therapist Assistant - a person who has graduated from a two year college level program approved by the American Physical Therapy Association.

Physical Therapist - a person who is registered with the Department of Professional Regulation as a physical therapist under the Illinois Physical Therapy Act (Ill. Rev. Stat. 1991, ch. 111 par. 4251 et seq.).

Physician - any person licensed by the State of Illinois to practice medicine in all its branches as provided in the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch.

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111, par. 4400-1 et seq.).

Probationary License - an initial license issued for a period of 120 days during which time the Department will determine the qualifications of the applicant.

Program Coordinator - a qualified person directly responsible for the overall program, operation and management of a Community Living Facility.

Program Unit - a resident care unit in Specialized Living Facilities equivalent to a nursing unit in Skilled Nursing facilities as defined in this Part.

Psychiatrist - a physician who has had at least three years of formal training or primary experience in the diagnosis and treatment of mental illness.

Psychologist - a person who is licensed by the Illinois Department of Professional Regulation to practice clinical psychology under the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 5351 et seq.).

Qualified Mental Retardation Professional - a person who has at least one year of experience working directly with individuals with developmental disabilities and meets at least one of the following additional qualifications:

Be a physician as defined in this Section.

Be a registered nurse as defined in this Section.

Hold at least a bachelor's degree in one of the following fields: occupational therapy, physical therapy, psychology, social work, speech or language pathology, recreation (or a recreational specialty area such as art, dance, music, or physical education), dietary services or dietetics, or a human services field (such as sociology, special education, or rehabilitation counseling).

Qualified Professional - a person who meets the educational, technical and ethical criteria of a health care profession, as evidenced by eligibility for membership in an organization established by the profession for the purpose of recognizing those persons who meet such criteria; and who is licensed, registered, or certified by the State of Illinois, if required.

REASONABLE VISITING HOURS - ANY TIME BETWEEN THE HOURS OF 10 A.M. AND 8 P.M. DAILY. (Section 1-121 of the Act)

Registered Nurse - a person with a valid Illinois license from the Illinois Department of Professional Regulation to practice as a registered professional nurse under the Illinois Nursing Act of 1987.

REPEAT VIOLATION - FOR PURPOSES OF ASSESSING FINES UNDER

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SECTION 3-305 OF THE ACT, A VIOLATION THAT HAS BEEN CITED DURING ONE INSPECTION OF THE FACILITY FOR WHICH A SUBSEQUENT INSPECTION INDICATES THAT AN ACCEPTED PLAN OF CORRECTION WAS NOT COMPLIED WITH, within a period of not more than twelve months from the issuance of the initial violation. A REPEAT VIOLATION SHALL NOT BE A NEW CITATION OF THE SAME RULE, UNLESS THE LICENSEE IS NOT SUBSTANTIALLY ADDRESSING THE ISSUE ROUTINELY THROUGHOUT THE FACILITY. (Section 3-305(7) of the Act)

Reputable Moral Character - having no history of a conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or of a corporation, of any of its officers, or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, or in the case of the conviction of a misdemeanor by a court not of record, as shown by other evidence; or other satisfactory evidence that the moral character of the applicant, or manager, or supervisor of the facility is not reputable.

RESIDENT - PERSON RESIDING IN AND RECEIVING PERSONAL CARE FROM A FACILITY. (Section 1-122 of the Act)

Resident Services Director - the full-time administrator, or an individual on the professional staff in the facility, who is directly responsible for the coordination and monitoring of the residents' overall plans of care in an intermediate care facility.

RESIDENT'S REPRESENTATIVE - A PERSON OTHER THAN THE OWNER, OR AN AGENT OR EMPLOYEE OF A FACILITY NOT RELATED TO THE RESIDENT, DESIGNATED IN WRITING BY A RESIDENT TO BE HIS REPRESENTATIVE, OR THE RESIDENT'S GUARDIAN, OR THE PARENT OF A MINOR RESIDENT FOR WHOM NO GUARDIAN HAS BEEN APPOINTED. (Section 1-123 of the Act)

Restorative Care - a health care process designed to assist residents to attain and maintain the highest degree of function of which they are capable (physical, mental, and social).

Restraint of a Resident - the application of a device to limit movements.

Room - a part of the inside of a facility that is partitioned continuously from floor to ceiling with openings closed with glass or hinged doors.

Safety Device - any equipment or protective device used on a bed, chair, or resident which prevents him from falling or otherwise injuring himself. Examples are: bedside

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rails; geriatric or adaptive chairs; a wide band, vest or sheet applied to prevent falling out of a bed or chair; and hand socks applied to prevent injuring one's self.

Sanitization - the reduction of pathogenic organisms on a utensil surface to a safe level, which is accomplished through the use of steam, hot water, or chemicals.

Satisfactory - same as adequate.

Seclusion - the retention of a resident in a room which the resident cannot open.

Self Preservation - the ability to follow directions or recognize impending danger or emergency situations and react by avoiding or leaving the unsafe area.

SHELTERED CARE - MAINTENANCE AND PERSONAL CARE. (Section 1-124 of the Act)

Social Worker, Qualified - a person who:

is a licensed social worker or a licensed clinical social worker under the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 6351 et seq.); and
is a graduate of a school of social work which has been approved by the Council on Social Work Education (some schools are approved for Bachelor's Degree programs and others for Master's Degree programs); and
has one year of social work experience in a health care setting.

State Fire Marshal - the Fire Marshal of the Office of the State Fire Marshal, Division of Fire Prevention.

Sterilization - the act or process of destroying completely all forms of microbial life, including viruses.

STOCKHOLDER OF A CORPORATION - ANY PERSON WHO, DIRECTLY OR INDIRECTLY, BENEFICIALLY OWNS, HOLDS OR HAS THE POWER TO VOTE, AT LEAST FIVE PERCENT OF ANY CLASS OF SECURITIES ISSUED BY THE CORPORATION. (Section 1-125 of the Act)

Story - when used in this Part means that portion of a building between the upper surface of any floor and the upper surface of the floor above except that the topmost story shall be the portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

STUDENT INTERN - MEANS ANY PERSON WHOSE TOTAL TERM OF EMPLOYMENT IN ANY FACILITY DURING ANY 12-MONTH PERIOD IS

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EQUAL TO OR LESS THAN 90 CONTINUOUS DAYS, AND WHOSE TERM OF EMPLOYMENT IS EITHER:

AN ACADEMIC CREDIT REQUIREMENT IN A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, OR
IMMEDIATELY SUCCEEDS A FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, PROVIDED THAT SUCH PERSON IS REGISTERED FOR ANOTHER FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION WHICH QUARTER, SEMESTER OR TRIMESTER WILL COMMENCE IMMEDIATELY FOLLOWING THE TERM OF EMPLOYMENT. (Section 1-125.1 of the Act)

Substantial - meeting requirements except for variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.280(q)(8), 300.280(k)(2) and 300.280(k)(4).

Substantial failure - the failure to meet requirements other than a variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.180(b)(1) and 300.260(f).

Sufficient - Same as adequate.

Supervision - authoritative procedural guidance by a qualified person for the accomplishment of a function or activity within his sphere of competence, with initial direction and periodic inspection of the actual act of accomplishing the function or activity. Unless otherwise stated in this Part, the supervisor must be on the premises if the person does not meet assistant level (two-year training program) qualifications specified in these definitions.

Therapeutic Recreation Specialist - a person who is certified by the National Council for Therapeutic Recreation Certification and who meets the minimum standards it has established for classification as a Therapeutic Recreation Specialist.

Time Out - removing an individual from a situation that results in undesirable behavior. It is a behavior modification procedure which is developed and implemented under the supervision of a qualified professional.

TITLE XVIII - TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREAFTER AMENDED. (Section 1-126 of the Act)

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TITLE XIX - TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREFTER AMENDED. (Section 1-127 of the Act)

TRANSFER - A CHANGE IN STATUS OF A RESIDENT'S LIVING ARRANGEMENTS FROM ONE FACILITY TO ANOTHER FACILITY. (Section 1-128 of the Act)

TYPE A VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY PRESENTING A SUBSTANTIAL PROBABILITY THAT DEATH OR SERIOUS MENTAL OR PHYSICAL HARM TO A RESIDENT WILL RESULT THEREFROM. (Section 1-129 of the Act)

TYPE B VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY DIRECTLY THREATENING TO THE HEALTH, SAFETY OR WELFARE OF A RESIDENT. (Section 1-130 of the Act)

Unit - an entire physically identifiable residence area, in Community Living Facilities consisting of not less than five nor more than 20 beds, and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for each distinct resident area are established as set forth in the respective regulations governing the approved levels of service.

Universal Progress Notes - a common record with periodic narrative documentation by all persons involved in resident care.

Valid License - a license which is unsuspended, unrevoked and unexpired.

(Source: Emergency amendment at 17 Ill. Reg. 8000, effective May 6, 1993, for a maximum of 150 days)

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1) The Heading of the Part:

Skilled Nursing and Intermediate Care Facilities Code

2) Code Citation:

77 Ill. Adm. Code 300

3) Section Numbers:

Emergency Action:

300.330

Amendments

4) Statutory Authority:

Nursing Home Care Act
Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4151-101 et seq.
[210 ILCS 45/1-101 et seq. (1992)]

5) Effective Date of Emergency Amendments:

May 6, 1993

6) If this emergency amendment is to expire before the end of the 150 day period, please specify the date on which it is to expire:

N/A

7) Date Filed in Agency's Principal Office:

May 6, 1993

8) Reason for Emergency:

The Department of Public Health has adopted these amendments to implement a consent decree in the case of Protection and Advocacy [P & A] v. John R. Lumpkin. The settlement agreement, which was signed on February 16, 1993, requires the Department to adopt emergency amendments to Parts 300, 330, 350, and 390 of the Illinois Administrative Code. Protection and Advocacy, Inc., is an Illinois not-for-profit corporation that advocates for the rights of mentally ill individuals and persons with developmental disabilities. The Settlement Agreement concerns the Department's operation of the 24-hour hotline required by the Abused and Neglected Long-Term Care Facility Residents Reporting Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 4161 et seq.) [210 ILCS 30/1 et seq.]. The Settlement Agreement requires the Department to use court-ordered procedures in operating the hotline; to categorize allegations of abuse, neglect, or other resident injury in a uniform fashion; to report other resident injuries to the Department in the same manner as reports of abuse or neglect; to file emergency Amendments to Parts 300, 330, 350, and 390 to include expanded definitions of "abuse,"

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"neglect," and "other resident injury"; and to handle as "anonymous" complaints wherein a named complainant cannot be located or proves to be fictitious.

9) A Complete Description of the Subjects and Issues Involved:

Section 300.330 - The definitions of "abuse" and "neglect" are being amended to include information required by the Settlement Agreement in the case of P & A v. Lumpkin. A definition of "Other Resident Injury" is added. The Department plans to propose identical amendments in accordance with the regular rulemaking requirements of the Illinois Administrative Procedure Act.

10) Are there any proposed amendments to this Part pending?

| Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|----------------------------|
| 300.1035 | New Section | 16 Ill. Reg. 16541 |
| 300.630 | Amendments | 16 Ill. Reg. 17555 |
| 300.175 | Amendments | 17 Ill. Reg. 1346 |
| 300.180 | Amendments | 17 Ill. Reg. 1346 |
| 300.270 | Amendments | 17 Ill. Reg. 1346 |
| 300.630 | Amendments | 17 Ill. Reg. 1346 |
| 300.660 | Amendments | 17 Ill. Reg. 1346 |
| 300.665 | Amendments | 17 Ill. Reg. 1346 |
| 300.3210 | Amendments | 17 Ill. Reg. 1346 |
| 300.3330 | Amendments | 17 Ill. Reg. 1346 |

11) Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

12) Information and questions regarding this amendment shall be directed to:

Name: Gail M. DeVito
Address: Division of Governmental Affairs
Illinois Department of Public Health
535 West Jefferson Street, Fifth Floor
Springfield, Illinois 62761
Telephone: (217) 782-6187

The full text of the emergency amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 300

SKILLED NURSING AND INTERMEDIATE CARE FACILITIES CODE

SUBPART A: GENERAL PROVISIONS

| | |
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| Section | General Requirements |
| 300.110 | Application for License |
| 300.120 | License |
| 300.130 | Issuance of an Initial License for a New Facility |
| 300.140 | Issuance of an Initial License Due to a Change of Ownership |
| 300.150 | Issuance of a Renewal License |
| 300.160 | Criteria for Adverse Licensure Actions |
| 300.165 | Denial of Initial License |
| 300.170 | Denial of Renewal of License |
| 300.175 | Revocation of License |
| 300.180 | Experimental Program Conflicting With Requirements |
| 300.190 | Inspections, Surveys, Evaluations and Consultation |
| 300.200 | Filing an Annual Attested Financial Statement |
| 300.210 | Information to Be Made Available to the Public By the Department |
| 300.220 | Information to Be Made Available to the Public By the Licensee |
| 300.230 | Municipal Licensure |
| 300.240 | Ownership Disclosure |
| 300.250 | Issuance of Conditional Licenses |
| 300.260 | Monitor and Receivership |
| 300.270 | Presentation of Findings |
| 300.271 | Determination to Issue a Notice of Violation or Administrative Warning |
| 300.272 | Determination of the Level of a Violation |
| 300.274 | Notice of Violation |
| 300.276 | Administrative Warning |
| 300.277 | Plans of Correction |
| 300.278 | Reports of Correction |
| 300.280 | Conditions for Assessment of Penalties |
| 300.282 | Calculation of Penalties |
| 300.284 | Determination to Assess Penalties |
| 300.286 | Reduction or Waiver of Penalties |
| 300.288 | Quarterly List of Violators |
| 300.290 | Alcoholism Treatment Programs In Long-Term Care Facilities |
| 300.300 | Department May Survey Facilities Formerly Licensed |
| 300.310 | |

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| 300.320 | Waivers |
| 300.330 | Definitions |
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| 300.340 | Incorporated and Referenced Materials |
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| SUBPART C: POLICIES | |
| 300.610 | Resident Care Policies |
| 300.620 | Admission and Discharge Policies |
| 300.630 | Contract Between Resident and Facility |
| 300.640 | Residents' Advisory Council |
| 300.650 | Personnel Policies |
| 300.655 | Initial Health Evaluation for Employees |
| 300.660 | Nursing Assistants |
| 300.665 | Student Interns |
| 300.670 | Disaster Preparedness |
| 300.680 | Restraints and Safety Devices |
| 300.690 | Serious Incidents and Accidents |
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| 300.1020 | Communicable Disease Policies |
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SUBPART N: DESIGN AND CONSTRUCTION STANDARDS
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Nursing Unit
Dining, Living, Activities Rooms
Therapy and Personal Care
Service Departments
General Building Requirements
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Nursing Unit
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SUBPART P: RESIDENT'S RIGHTS

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Resident Services Program
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Social Services
Recreational and Activities Services
Individual Treatment Plan
Health Services
Medical Services
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Optometric Services
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300.3560 Podiatric Services
 300.3570 Occupational Therapy Services
 300.3580 Nursing and Personal Care
 300.3590 Resident Care Services
 300.3600 Record Keeping
 300.3610 Food Service
 300.3620 Furnishings, Equipment and Supplies (New and Existing Facilities)
 300.3630 Design and Construction Standards (New and Existing Facilities)

SUBPART R: DAYCARE PROGRAMS

300.3710 Day Care in Long-Term Care Facilities

300.APPENDIX A Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities
 300.APPENDIX B Classification of Distinct Part of a Facility for Different Levels of Service (Repealed)
 300.APPENDIX C Federal Requirements Regarding Patients'/Residents' Rights
 300.APPENDIX D Forms for Day Care in Long-Term Care Facilities
 300.APPENDIX E Criteria for Activity Directors Who Need Only Minimal Consultation
 300.TABLE A Sound Transmission Limitations in New Skilled Nursing and Intermediate Care Facilities
 300.TABLE B Pressure Relationships and Ventilation Rates of Certain Areas for New Intermediate Care Facilities and Skilled Nursing Facilities
 300.TABLE C Construction Types and Sprinkler Requirements for Existing Skilled Nursing Facilities/Intermediate Care Facilities
 300.TABLE D Disaster Preparedness Parameters - Relative Humidity and Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act (Ill Rev. Stat. 1991, ch. 111 1/2, par. 4151-101 et seq.) [210 ILCS 45/1-101 et seq. (1992)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 1066, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 311, effective July 28, 1980; emergency amendment at 6 Ill. Reg. 3229, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6454, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 11631, effective September 14, 1982; amended at 6 Ill. Reg. 14550 and 14554, effective November 8, 1982; amended at 6 Ill. Reg. 14684, effective November 15, 1982; amended at 7 Ill. Reg. 285, effective December 22, 1982; amended at 7 Ill. Reg. 1972, effective January 28, 1983; amended at 7 Ill. Reg. 8579, effective July 11, 1983; amended at 7 Ill. Reg. 15831, effective November 10, 1983; amended at 7 Ill. Reg. 15864, effective November 15, 1983; amended at 7 Ill. Reg. 16992, effective December 14, 1983; amended at 8 Ill. Reg. 15599, 15603, and 15606, effective August 15, 1984; amended at 8 Ill. Reg. 15947, effective August 17, 1984; amended at 8 Ill. Reg. 16999, effective September 5, 1984; codified

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at 8 Ill. Reg. 19766; amended at 8 Ill. Reg. 24186, effective November 29, 1984; amended at 8 Ill. Reg. 24668, effective December 7, 1984; amended at 8 Ill. Reg. 25102, effective December 14, 1984; amended at 9 Ill. Reg. 132, effective December 26, 1984; amended at 9 Ill. Reg. 4087, effective March 15, 1985; amended at 9 Ill. Reg. 11049, effective July 1, 1985; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 12 Ill. Reg. 1052, effective December 24, 1987; amended at 12 Ill. Reg. 16811, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18477, effective October 24, 1988, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 5134, effective March 23, 1989; amended at 13 Ill. Reg. 4684, effective March 24, 1989; amended at 13 Ill. Reg. 5134, effective April 1, 1989; amended at 13 Ill. Reg. 20089, effective December 1, 1989; amended at 14 Ill. Reg. 14950, effective October 1, 1990; amended at 15 Ill. Reg. 544, effective January 1, 1991; amended at 16 Ill. Reg. 681, effective January 1, 1992; amended at 16 Ill. Reg. 5977, effective March 27, 1992; amended at 16 Ill. Reg. 17089, effective November 3, 1992; emergency amendment at 17 Ill. Reg. 2420, effective February 3, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 8026, effective May 6, 1993, for a maximum of 150 days.

NOTE: Italics and capitalization denote statutory language.

Section 300.330 Definitions
 EMERGENCY

The terms defined in this Section are terms that are used in one or more of the sets of licensing standards established by the Department to license various levels of long-term care. They are defined as follows:

ABUSE - ANY PHYSICAL OR MENTAL INJURY OR SEXUAL ASSAULT INFLICTED ON A RESIDENT OTHER THAN BY ACCIDENTAL MEANS IN A FACILITY. (Section 1-103 of the Act)

Abuse means:

Physical abuse refers to the infliction of injury on a resident that occurs other than by accidental means and that requires (whether or not actually given) medical attention.

Mental injury arises from the following types of conduct:

Verbal abuse refers to the use by a licensee, employee or agent of oral, written or gestured language that includes disparaging and derogatory terms to residents or within their hearing or seeing distance, regardless of their age, ability to comprehend or disability.

Mental abuse includes, but is not limited to, humiliation, harassment, threats of punishment or deprivation, or offensive

physical contact by a licensee, employee or agent.

Sexual harassment or sexual coercion perpetrated by a licensee, employee or agent.

Sexual assault.

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ACCESS - THE RIGHT TO:

ENTER ANY FACILITY;
COMMUNICATE PRIVATELY AND WITHOUT RESTRICTION WITH ANY
RESIDENT WHO CONSENTS TO THE COMMUNICATION;
SEEK CONSENT TO COMMUNICATE PRIVATELY AND WITHOUT
RESTRICTION WITH ANY RESIDENT;
INSPECT THE CLINICAL AND OTHER RECORDS OF A RESIDENT WITH
THE EXPRESS WRITTEN CONSENT OF THE RESIDENT;
OBSERVE ALL AREAS OF THE FACILITY EXCEPT THE LIVING AREA
OF ANY RESIDENT WHO PROTESTS THE OBSERVATION. (Section 1-104
of the Act)

Act - as used in this Part, the Nursing Home Care Act (Ill. Rev. Stat. 1991, ch. 111 1/2,
par. 4151-101 et seq.).

Activity Program - a specific planned program of varied group and individual activities
geared to the individual resident's needs and available for a reasonable number of hours
each day.

Adaptive Behavior - the effectiveness or degree with which the individual meets the
standards of personal independence and social responsibility expected of his age and
cultural group.

Addition - any construction attached to the original building which increases the area or
cubic content of the building.

Adequate - enough in either quantity or quality, as determined by a reasonable person
familiar with the professional standards of the subject under review, to meet the needs
of the residents of a facility under the particular set of circumstances in existence at the
time of review.

Administrative Warning - a notice to a facility issued by the Department under
Section 300.277 of this Part and Section 3-303.2 of the Act, which indicates that a
situation, condition, or practice in the facility violates the Act or the Department's rules,
but is not a type A or type B violation.

Administrator - the person who is directly responsible for the operation and
administration of the facility, irrespective of the assigned title. (See Licensed Nursing
Home Administrator.)

Advocate - a person who represents the rights and interests of an individual as though
they were the person's own, in order to realize the rights to which the individual is
entitled, obtain needed services, and remove barriers to meeting the individual's needs.

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AFFILIATE MEANS:

WITH RESPECT TO A PARTNERSHIP, EACH PARTNER THEREOF.
WITH RESPECT TO A CORPORATION, EACH OFFICER, DIRECTOR AND
STOCKHOLDER THEREOF.
WITH RESPECT TO A NATURAL PERSON: ANY PERSON RELATED IN
THE FIRST DEGREE OF KINSHIP TO THAT PERSON; EACH
PARTNERSHIP AND EACH PARTNER THEREOF OF WHICH THAT
PERSON OR ANY AFFILIATE OF THAT PERSON IS A PARTNER; AND
EACH CORPORATION IN WHICH THAT PERSON OR ANY AFFILIATE OF
THAT PERSON IS AN OFFICER, DIRECTOR OR STOCKHOLDER.
(Section 1-106 of the Act)

Aide or Orderly - any person providing direct personal care, training or habilitation
services to residents.

Alteration - any construction change or modification of an existing building which does
not increase the area or cubic content of the building.

Ambulatory Resident - a person who is physically and mentally capable of walking
without assistance, or is physically able with guidance to do so, including the ascent and
descent of stairs.

APPLICANT - ANY PERSON MAKING APPLICATION FOR A LICENSE.
(Section 1-107 of the Act)

Appropriate - term used to indicate that a requirement is to be applied according to the
needs of a particular individual or situation.

Assessment - the use of an objective system with which to evaluate the physical, social,
developmental, behavioral, and psychosocial aspects of an individual.

Audiologist - a person who is certified or is eligible for a certificate of clinical
competence in audiology granted by the American Speech and Hearing Association
under its requirements in effect on the publication of this provision or meets the
educational requirements for certification, and is in the process of accumulating the
supervised experience required for certification.

Autism - A syndrome described as consisting of withdrawal, very inadequate social
relationships, exceptional object relationships, language disturbances and monotonously
repetitive motor behavior; many children with autism will also be seriously impaired in
general intellectual functioning; mental illness observed in young children characterized
by severe withdrawal and inappropriate response to external stimulation.

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Autoclave - an apparatus for sterilizing by superheated steam under pressure.

Auxiliary Personnel - all nursing personnel in intermediate care facilities and skilled nursing facilities other than licensed personnel.

Basement - when used in this Part, means any story or floor level below the main or street floor. Where due to grade difference, there are two levels each qualifying as a street floor, a basement is any floor below the level of the two street floors. Basements shall not be counted in determining the height of a building in stories.

Behavior Modification - treatment to be used to establish or change behavior patterns.

Cerebral Palsy - a disorder dating from birth or early infancy, nonprogressive, characterized by examples of aberrations of motor function (paralysis, weakness, incoordination) and often other manifestations of organic brain damage such as sensory disorders, seizures, mental retardation, learning difficulty and behavior disorders.

Certification for Title XVIII and XIX - the issuance of a document by the Department to the Department of Health and Human Services or the Department of Public Aid verifying compliance with applicable statutory or regulatory requirements for the purposes of participation as a provider of care and service in a specific Federal or State health program.

Charge Nurse - a charge nurse is a registered professional nurse or a licensed practical nurse in charge of the nursing activities for a specific unit or floor during a tour of duty.

Community Alternatives - service programs in the community provided as an alternative to institutionalization.

Community Living Facility - see Facility, Community Living.

Continuing Care Contract - a contract through which a facility agrees to supplement all forms of financial support for a resident throughout the remainder of the resident's life.

Contract - a binding agreement between a resident or the resident's guardian (or, if the resident is a minor, the resident's parent) and the facility or its agent.

Corporal Punishment - painful stimuli inflicted directly upon the body.

Cruelty and Indifference to Welfare of the Resident - failure to provide a resident with the care and supervision he requires; or, the infliction of mental or physical abuse. Examples of physical abuse are restraining a resident, striking, slapping, hitting, or withholding food as punishment. Examples of mental abuse are swearing, threatening

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and seclusion.

Dentist - any person licensed by the State of Illinois to practice dentistry, includes persons holding a Temporary Certificate of Registration, as provided in the Illinois Dental Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 2301 et seq.).

Department - as used in this Part means the Illinois Department of Public Health.

Developmentally Disabled - those individuals whose disability is attributable to mental retardation, cerebral palsy, epilepsy, autism, or other pathological conditions which generally originate before such individuals attain age 18, and which continue, or can be expected to continue, indefinitely, and which constitute a substantial functioning handicap to such individuals.

Developmental Disability - a severe, chronic disability of a person which:
is attributable to a mental or physical impairment or combination of mental and physical impairment or combination of mental and physical impairments;
is manifest before age 22;
is likely to continue indefinitely;
results in substantial functional limitations in three or more of the following areas of major life activities:
self-care;

receptive and expressive language;

learning;

mobility;

self-direction;

capacity for independent living; and

economic self-sufficiency; and

reflects the person's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of life-long or extended duration and individually planned and coordinated.

Dietetic Service Supervisor - a person who:

is a qualified dietician; or

is a graduate of a dietetic technician or dietetic assistant training program,

corresponding or classroom, approved by the American Dietetic Association; or

is a graduate of a Department-approved course that provides 90 or more hours of

classroom instruction in food service supervision and has had experience as a

supervisor in a health care institution, which included consultation from a

dietician; or

has training and experience in food service supervision and management in a

military service equivalent in content to the program in paragraph (2) or (3) of this definition.

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Dietitian - a person who:

is eligible for registration by the American Dietetic Association; or
has a baccalaureate degree with major studies in food and nutrition, dietetics, and
food service management, has one year of supervisory experience in the dietetic
service of a health care institution, and participates annually in continuing
dietetic education.

Direct Care Aide - Any person who provides nursing care, personal care or psychosocial
support to residents of specialized living facilities, regardless of title, and who is not a
Qualified Professional, as defined in these rules. Direct Care Aides must function under
the supervision of a licensed nurse when performing nursing or personal care duties.

Direct Supervision - means that work is performed under the guidance and direction of a
supervisor who is responsible for the work, who plans work and methods, who is
available on short notice to answer questions and deal with problems that are not strictly
routine, who regularly reviews the work performed, and who is accountable for the
results.

DIRECTOR - THE DIRECTOR OF PUBLIC HEALTH OR HIS DESIGNEE.

(Section 1-110 of the Act)

Director of Nursing Service - the full-time Professional Registered Nurse who is directly
responsible for the immediate supervision of the nursing services.

DISCHARGE - THE FULL RELEASE OF ANY RESIDENT FROM A FACILITY.

(Section 1-111 of the Act)

Distinct Part - an entire, physically identifiable unit consisting of all of the beds within
that unit and having facilities meeting the standards applicable to the levels of service to
be provided. Staff and services for a distinct part are established as set forth in the
respective regulations governing the levels of services approved for the distinct part.

EMERGENCY - A SITUATION, PHYSICAL CONDITION OR ONE OR MORE
PRACTICES, METHODS OR OPERATIONS WHICH PRESENT IMMINENT
DANGER OF DEATH OR SERIOUS PHYSICAL OR MENTAL HARM TO
RESIDENTS OF A FACILITY. (Section 1-112 of the Act)

Epilepsy - a chronic symptom of cerebral dysfunction, characterized by recurrent
attacks, involving changes in the state of consciousness, sudden in onset, and of brief
duration. Many attacks are accompanied by a seizure in which the person falls
involuntarily.

Equivalent of a Graduate Licensed Practical Nurse - a licensed practical nurse, licensed

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by waiver, who successfully passes the proficiency examination approved by the U.S.
Department of Health and Human Services shall be considered the equivalent of a
licensed practical nurse who is a graduate of an approved school of practical nursing for
the purposes of this Part.

Existing Long-Term Care Facility - any facility initially licensed as a health care facility
or approved for construction by the Department, or any facility initially licensed or
operated by any other agency of the State of Illinois, prior to March 1, 1980. Existing
long-term care facilities shall meet the design and construction standards for existing
facilities for the level of long-term care for which the license (new or renewal) is to be
granted.

Facility, Community Living - a place of residence as limited in these standards for
between five and 80 ambulatory adults who are mildly or moderately mentally retarded
with a potential for being absorbed into the mainstream of community life.

Facility, Intermediate Care - a facility which provides basic nursing care and other
restorative services under periodic medical direction. Many of these services may
require skill in administration. Such facilities are for residents who have long-term
illnesses or disabilities which may have reached a relatively stable plateau.

Facility, Intermediate Care for the Developmentally Disabled - when used in this Part, is
a facility of three or more persons, or distinct part thereof, serving residents of which
more than 50 percent are developmentally disabled. Facilities with any number less
than 50 percent of developmentally disabled residents, who are determined by the
Department with consultation from the Division of Developmental Disabilities, Illinois
Department of Mental Health and Developmental Disabilities to need organized social
support and training programs, must comply with the program requirements in this Part.

FACILITY OR LONG-TERM CARE FACILITY - A PRIVATE HOME,
INSTITUTION, BUILDING, RESIDENCE, OR ANY OTHER PLACE, WHETHER
OPERATED FOR PROFIT OR NOT, OR A COUNTY HOME FOR THE INFIRM
AND CHRONICALLY ILL OPERATED PURSUANT TO DIVISION 5-21 OR 5-22
OF THE COUNTIES CODE (Ill. Rev. Stat. 1991, ch. 34, pars. 5-21001 et seq. and 5-
22001 et seq.), OR ANY SIMILAR INSTITUTION OPERATED BY A POLITICAL
SUBDIVISION OF THE STATE OF ILLINOIS, WHICH PROVIDES, THROUGH ITS
OWNERSHIP OR MANAGEMENT, PERSONAL CARE, SHELTERED CARE OR
NURSING FOR THREE OR MORE PERSONS, NOT RELATED TO THE
APPLICANT OR OWNER BY BLOOD OR MARRIAGE. IT INCLUDES SKILLED
NURSING FACILITIES AND INTERMEDIATE CARE FACILITIES AS THOSE
TERMS ARE DEFINED IN TITLE XVIII AND TITLE XIX OF THE FEDERAL
SOCIAL SECURITY ACT (42 U.S.C.A. 1395 et seq. and 1936 et seq.). A "facility"
may consist of more than one building as long as the buildings are on the same tract, or

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adjacent tracts of land. However, there shall be no more than one "facility" in any one building. "FACILITY" DOES NOT INCLUDE THE FOLLOWING:

A HOME, INSTITUTION, OR OTHER PLACE OPERATED BY THE FEDERAL GOVERNMENT OR AGENCY THEREOF, OR BY THE STATE OF ILLINOIS;

A HOSPITAL, SANITARIUM, OR OTHER INSTITUTION WHOSE PRINCIPAL ACTIVITY OR BUSINESS IS THE DIAGNOSIS, CARE, AND TREATMENT OF HUMAN ILLNESS THROUGH THE MAINTENANCE AND OPERATION AS ORGANIZED FACILITIES THEREFOR, WHICH IS REQUIRED TO BE LICENSED UNDER THE HOSPITAL LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 142 et seq.);

ANY "FACILITY FOR CHILD CARE" AS DEFINED IN THE CHILD CARE ACT OF 1969 (Ill. Rev. Stat. 1991, ch. 23, par. 2211 et seq.);

ANY "COMMUNITY LIVING FACILITY" AS DEFINED IN THE COMMUNITY LIVING FACILITIES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4181 et seq.);

ANY "COMMUNITY RESIDENTIAL ALTERNATIVE" AS DEFINED IN THE COMMUNITY RESIDENTIAL ALTERNATIVES LICENSING ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 621 et seq.);

ANY NURSING HOME OR SANATORIUM OPERATED SOLELY BY AND FOR PERSONS WHO RELY EXCLUSIVELY UPON TREATMENT BY SPIRITUAL MEANS THROUGH PRAYER, IN ACCORDANCE WITH THE CREED OR TENETS OF ANY WELL-RECOGNIZED CHURCH OR RELIGIOUS DENOMINATION. HOWEVER, SUCH NURSING HOME OR SANATORIUM SHALL COMPLY WITH ALL LOCAL LAWS AND RULES RELATING TO SANITATION AND SAFETY; OR

ANY FACILITY LICENSED BY THE DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES AS A COMMUNITY-

INTEGRATED LIVING ARRANGEMENT AS DEFINED IN THE COMMUNITY-INTEGRATED LIVING ARRANGEMENTS LICENSURE AND CERTIFICATION ACT (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1701 et seq.).

(Section 1-113 of the Act)

Facility, Skilled Nursing - when used in this Part is synonymous with a skilled nursing facility. A skilled nursing facility provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post acute phase of illness or during recurrences of symptoms in long-term illness.

Financial Responsibility - sufficient assets to provide adequate services such as: staff, heat, laundry, foods, supplies, and utilities for at least a two-month period of time.

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Full-time - means on duty a minimum of 36 hours, four days per week.

Goal - an expected result or condition that involves a relatively long period of time to achieve, that is specified in behavioral terms in a statement of relatively broad scope, and that provides guidance in establishing specific, short-term objectives directed toward its attainment.

Governing Body - the policy-making authority, whether an individual or a group, that exercises general direction over the affairs of a facility and establishes policies concerning its operation and the welfare of the individuals it serves.

GUARDIAN - A PERSON APPOINTED AS A GUARDIAN OF THE PERSON OR GUARDIAN OF THE ESTATE, OR BOTH, OF A RESIDENT UNDER THE PROBATE ACT OF 1975 (Ill. Rev. Stat. 1991, ch. 110 1/2, par. 1-1 et seq.) (Section 1-114 of the Act)

Habilitation - an effort directed toward the alleviation of a disability or toward increasing a person's level of physical, mental, social or economic functioning.

Habilitation may include, but is not limited to, diagnosis, evaluation, medical services, residential care, day care, special living arrangements, training, education, sheltered employment, protective services, counseling and other services.

Health Services Supervisor - (Director of Nursing Service) the full-time Registered Nurse, or Licensed Practical Nurse, who is directly responsible for the immediate supervision of the health services in an Intermediate Care Facility.

Home for the Aged - any facility which is operated: by a not-for-profit corporation incorporated under, or qualified as a foreign corporation under, the General Not For Profit Corporation Act of 1986 (Ill. Rev. Stat. 1991, ch. 32, par. 101.01 et seq.); or, by a county pursuant to Division 5-22 of the Counties Code (Ill. Rev. Stat. 1991, ch. 34, par. 5-22001 et seq.); or, pursuant to a trust or endowment established for nonprofit, charitable purposes, and which provides maintenance, personal care, nursing or sheltered care to three or more residents, 90 percent of whom are 60 or more years of age.

Hospitalization - the care and treatment of a person in a hospital as an in-patient.

House Manager - a qualified person on duty 40 hours a week managing the Community Living Facility and responsible for its operation and its inhabitants.

Individual Educational Program (IEP) - a written statement for each resident that provides for specific education and related services. The Individual Education Program may be incorporated into the Individual Habilitation Plan (IHP).

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Individual Habilitation Plan (IHP) - a total plan of care that is developed by the interdisciplinary team for each resident, and that is developed on the basis of all assessment results.

Institutional Occupancy - when used in this Part means Health Care Facilities, Group (a), as defined in Chapter 10, paragraph 10-0001 of the Life Safety Code, National Fire Protection Association (1985 Edition).

Interdisciplinary Team - a group of persons that represents those professions, disciplines, or service areas that are relevant to identifying an individual's needs, and designs a program to meet those needs. This team shall include at least a physician, a social worker and other professionals. In Intermediate Care Facilities for The Developmentally Disabled (ICF-DDs) at least one member of the team shall be a Qualified Mental Retardation Professional.

Licensed Nursing Home Administrator - a person who is charged with the general administration and supervision of a facility and licensed under the Nursing Home Administrators Licensing and Disciplinary Act (Ill. Rev. Stat. 1991, ch. 111, par. 3651 et seq.).

Licensed Practical Nurse - a person with a valid Illinois license to practice as a practical nurse.

LICENSEE - THE PERSON OR ENTITY LICENSED TO OPERATE THE FACILITY AS PROVIDED UNDER THE ACT. (Section 1-115 of the Act)

Life Care Contract - a contract through which a facility agrees to provide maintenance and care for a resident throughout the remainder of the resident's life.

MAINTENANCE - FOOD, SHELTER, AND LAUNDRY SERVICES. (Section 1-116 of the Act)

Maladaptive Behavior - impairment in adaptive behavior as determined by a clinical psychologist or by a physician. Impaired adaptive behavior may be reflected in delayed maturation, reduced learning ability or inadequate social adjustment.

Medical Record Practitioner - a person who: is eligible for certification as a registered record administrator (RRA) or an accredited record technician (ART), by the American Medical Record Association under its requirements; or is a graduate of a school of medical record science that is accredited jointly by the American Medical Association and the American Medical Record Association.

Mentally Retarded and Mental Retardation - subaverage general intellectual functioning

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originating during the developmental period and associated with maladaptive behavior.

Misappropriation of Property - using a resident's cash, clothing, or other possessions without authorization by the resident or the resident's authorized representative; failure to return valuables after a resident's discharge; or failure to refund money after death or discharge when there is an unused balance in the resident's personal account.

Mobile Nonambulatory - unable to walk independently or without assistance, but able to move from place to place with the use of devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Mobile Resident - any resident who is able to move about either independently or with the aid of assistive devices such as walkers, crutches, wheelchairs, or wheeled platforms.

Monitor - a qualified person placed in a facility by the Department to observe operations of the facility, assist the facility by advising it on how to comply with the State regulations, and who reports periodically to the Department on the operations of the facility.

NEGLECT - A FAILURE IN A FACILITY TO PROVIDE ADEQUATE MEDICAL OR PERSONAL CARE OR MAINTENANCE, WHICH FAILURE RESULTS IN PHYSICAL OR MENTAL INJURY TO A RESIDENT OR IN THE DETERIORATION OF A RESIDENT'S PHYSICAL OR MENTAL CONDITION. (Section 1-117 of the Act)

Neglect means:

The failure to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition shall include any allegation where:

the alleged failure causing injury or deterioration is ongoing or repetitious; or
a resident required medical treatment as a result of the alleged failure; or
the failure is alleged to have caused a noticeable negative impact on a resident's health, behavior or activities for more than 24 hours.

New Long-Term Care Facility - any facility initially licensed as a health care facility by the Department, or any facility initially licensed or operated by any other agency of the State of Illinois, on or after March 1, 1980. New long-term care facilities shall meet the design and construction standards for new facilities for the level of long-term care for which the license (new or renewal) is to be granted.

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Normalization - the principle of helping individuals to obtain an existence as close to normal as possible, by making available to them patterns and conditions of everyday life that are as close as possible to the norms and patterns of the mainstream of society.

NURSE - A REGISTERED NURSE OR A LICENSED PRACTICAL NURSE AS DEFINED IN THE ILLINOIS NURSING ACT OF 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 3501 et seq.). (Section 1-118 of the Act)

Nursing Assistant - Any person who provides nursing care or personal care to residents of licensed long-term care facilities, regardless of title, and who is not otherwise licensed, certified or registered by the Department of Professional Regulation to render medical care. Other titles often used to refer to nursing assistants include, but are not limited to, nurse's aide, orderly and nurse technician. Nursing assistants must function under the supervision of a licensed nurse.

Nursing Care - a complex of activities which carries out the diagnostic, therapeutic, and rehabilitative plan as prescribed by the physician; care for the resident's environment; observing symptoms and reactions and taking necessary measures to carry out nursing procedures involving understanding of cause and effect in order to safeguard life and health.

Nursing Unit - a physically identifiable designated area of a facility consisting of all the beds within the designated area, but having no more than 75 beds, none of which are more than 120 feet from the nurse's station.

Objective - an expected result or condition that involves a relatively short period of time to achieve, that is specified in behavioral terms, and that is related to the achievement of a goal.

Occupational Therapist, Registered (OTR) - a person who is registered with the Department of Professional Regulation as an occupational therapist under the Illinois Occupational Therapy Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 3701 et seq.).

Occupational Therapy Assistant - a person who is registered with the Department of Professional Regulation as a certified occupational therapy assistant under the Illinois Occupational Therapy Practice Act.

Operator - the person responsible for the control, maintenance and governance of the facility, its personnel and physical plant.

Other Resident Injury - occurs where a resident is alleged to have suffered physical or mental harm and the allegation does not fall within the definition of abuse or neglect.

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Oversight - general watchfulness and appropriate reaction to meet the total needs of the residents, exclusive of nursing or personal care. Oversight shall include, but is not limited to, social, recreational and employment opportunities for residents who, by reason of mental disability, or in the opinion of a licensed physician, are in need of residential care.

OWNER - THE INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION OR OTHER PERSON WHO OWNS A FACILITY. IN THE EVENT A FACILITY IS OPERATED BY A PERSON WHO LEASES THE PHYSICAL PLANT, WHICH IS OWNED BY ANOTHER PERSON, "OWNER" MEANS THE PERSON WHO OPERATES THE FACILITY, EXCEPT THAT IF THE PERSON WHO OWNS THE PHYSICAL PLANT IS AN AFFILIATE OF THE PERSON WHO OPERATES THE FACILITY AND HAS SIGNIFICANT CONTROL OVER THE DAY-TO-DAY OPERATIONS OF THE FACILITY, THE PERSON WHO OWNS THE PHYSICAL PLANT SHALL INCUR JOINTLY AND SEVERALLY WITH THE OWNER ALL LIABILITIES IMPOSED ON AN OWNER UNDER THE ACT. (Section 1-119 of the Act)

Person - any individual, partnership, corporation, association, municipality, political subdivision, trust, estate or other legal entity whatsoever.

PERSONAL CARE - ASSISTANCE WITH MEALS, DRESSING, MOVEMENT, BATHING, OR OTHER PERSONAL NEEDS, OR GENERAL SUPERVISION AND OVERSIGHT OF THE PHYSICAL AND MENTAL WELL-BEING OF AN INDIVIDUAL, EXCLUSIVE OF NURSING, WHO BECAUSE OF AGE, PHYSICAL OR MENTAL DISABILITY, EMOTIONAL OR BEHAVIOR DISORDER, OR MENTAL RETARDATION IS INCAPABLE OF MAINTAINING A PRIVATE, INDEPENDENT RESIDENCE, OR WHO IS INCAPABLE OF MANAGING HIS PERSON WHETHER OR NOT A GUARDIAN HAS BEEN APPOINTED. (Section 1-120 of the Act)

Pharmacist, Registered - a person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4121 et seq.).

Physical Therapist Assistant - a person who has graduated from a two year college level program approved by the American Physical Therapy Association.

Physical Therapist - a person who is registered with the Department of Professional Regulation as a physical therapist under the Illinois Physical Therapy Act (Ill. Rev. Stat. 1991, ch. 111 par. 4251 et seq.).

Physician - any person licensed by the State of Illinois to practice medicine in all its

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branches as provided in the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.).

Probationary License - an initial license issued for a period of 120 days during which time the Department will determine the qualifications of the applicant.

Program Coordinator - a qualified person directly responsible for the overall program, operation and management of a Community Living Facility.

Program Unit - a resident care unit in Specialized Living Facilities equivalent to a nursing unit in Skilled Nursing facilities as defined in this Part.

Psychiatrist - a physician who has had at least three years of formal training or primary experience in the diagnosis and treatment of mental illness.

Psychologist - a person who is licensed by the Illinois Department of Professional Regulation to practice clinical psychology under the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 5351 et seq.).

Qualified Mental Retardation Professional - a person who has at least one year of experience working directly with individuals with developmental disabilities and meets at least one of the following additional qualifications:

Be a physician as defined in this Section.

Be a registered nurse as defined in this Section.

Hold at least a bachelor's degree in one of the following fields: occupational therapy, physical therapy, psychology, social work, speech or language pathology, recreation (or a recreational specialty area such as art, dance, music, or physical education), dietary services or dietetics, or a human services field (such as sociology, special education, or rehabilitation counseling).

Qualified Professional - a person who meets the educational, technical and ethical criteria of a health care profession, as evidenced by eligibility for membership in an organization established by the profession for the purpose of recognizing those persons who meet such criteria; and who is licensed, registered, or certified by the State of Illinois, if required.

REASONABLE VISITING HOURS - ANY TIME BETWEEN THE HOURS OF 10 A.M. AND 8 P.M. DAILY. (Section 1-121 of the Act)

Registered Nurse - a person with a valid Illinois license from the Illinois Department of Professional Regulation to practice as a registered professional nurse under the Illinois Nursing Act of 1987.

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REPEAT VIOLATION - FOR PURPOSES OF ASSESSING FINES UNDER SECTION 3-305 OF THE ACT, A VIOLATION THAT HAS BEEN CITED DURING ONE INSPECTION OF THE FACILITY FOR WHICH A subsequent inspection indicates that AN ACCEPTED PLAN OF CORRECTION WAS NOT COMPLIED WITH, within a period of not more than twelve months from the issuance of the initial violation. A REPEAT VIOLATION SHALL NOT BE A NEW CITATION OF THE SAME RULE, UNLESS THE LICENSEE IS NOT SUBSTANTIALLY ADDRESSING THE ISSUE ROUTINELY THROUGHOUT THE FACILITY. (Section 3-305(7) of the Act)

Reputable Moral Character - having no history of a conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or of a corporation, of any of its officers, or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, or in the case of the conviction of a misdemeanor by a court not of record, as shown by other evidence; or other satisfactory evidence that the moral character of the applicant, or manager, or supervisor of the facility is not reputable.

RESIDENT - PERSON RESIDING IN AND RECEIVING PERSONAL CARE FROM A FACILITY. (Section 1-122 of the Act)

Resident Services Director - the full-time administrator, or an individual on the professional staff in the facility, who is directly responsible for the coordination and monitoring of the residents' overall plans of care in an intermediate care facility.

RESIDENT'S REPRESENTATIVE - A PERSON OTHER THAN THE OWNER, OR AN AGENT OR EMPLOYEE OF A FACILITY NOT RELATED TO THE RESIDENT, DESIGNATED IN WRITING BY A RESIDENT TO BE HIS REPRESENTATIVE, OR THE RESIDENT'S GUARDIAN, OR THE PARENT OF A MINOR RESIDENT FOR WHOM NO GUARDIAN HAS BEEN APPOINTED. (Section 1-123 of the Act)

Restorative Care - a health care process designed to assist residents to attain and maintain the highest degree of function of which they are capable (physical, mental, and social).

Restraint of a Resident - the application of a device to limit movements.

Room - a part of the inside of a facility that is partitioned continuously from floor to ceiling with openings closed with glass or hinged doors.

Safety Device - any equipment or protective device used on a bed, chair, or resident which prevents him from falling or otherwise injuring himself. Examples are: bedside

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rails; geriatric or adaptive chairs; a wide band, vest or sheet applied to prevent falling out of a bed or chair; and hand socks applied to prevent injuring one's self.

Sanitization - the reduction of pathogenic organisms on a utensil surface to a safe level, which is accomplished through the use of steam, hot water, or chemicals.

Satisfactory - same as adequate.

Seclusion - the retention of a resident in a room which the resident cannot open.

Self Preservation - the ability to follow directions or recognize impending danger or emergency situations and react by avoiding or leaving the unsafe area.

SHELTERED CARE - MAINTENANCE AND PERSONAL CARE. (Section 1-124 of the Act)

Social Worker, Qualified - a person who:

is a licensed social worker or a licensed clinical social worker under the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 6351 et seq.); and
is a graduate of a school of social work which has been approved by the Council on Social Work Education (some schools are approved for Bachelor's Degree programs and others for Master's Degree programs); and
has one year of social work experience in a health care setting.

State Fire Marshal - the Fire Marshal of the Office of the State Fire Marshal, Division of Fire Prevention.

Sterilization - the act or process of destroying completely all forms of microbial life, including viruses.

STOCKHOLDER OF A CORPORATION - ANY PERSON WHO, DIRECTLY OR INDIRECTLY, BENEFICIALLY OWNS, HOLDS OR HAS THE POWER TO VOTE, AT LEAST FIVE PERCENT OF ANY CLASS OF SECURITIES ISSUED BY THE CORPORATION. (Section 1-125 of the Act)

Story - when used in this Part means that portion of a building between the upper surface of any floor and the upper surface of the floor above except that the topmost story shall be the portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

STUDENT INTERN - MEANS ANY PERSON WHOSE TOTAL TERM OF EMPLOYMENT IN ANY FACILITY DURING ANY 12-MONTH PERIOD IS

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EQUAL TO OR LESS THAN 90 CONTINUOUS DAYS, AND WHOSE TERM OF EMPLOYMENT IS EITHER:

AN ACADEMIC CREDIT REQUIREMENT IN A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, OR
IMMEDIATELY SUCCEEDS A FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION, PROVIDED THAT SUCH PERSON IS REGISTERED FOR ANOTHER FULL QUARTER, SEMESTER OR TRIMESTER OF ACADEMIC ENROLLMENT IN EITHER A HIGH SCHOOL OR UNDERGRADUATE INSTITUTION WHICH QUARTER, SEMESTER OR TRIMESTER WILL COMMENCE IMMEDIATELY FOLLOWING THE TERM OF EMPLOYMENT. (Section 1-125.1 of the Act)

Substantial - meeting requirements except for variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.280(q)(8), 300.280(k)(2) and 300.280(k)(4).

Substantial failure - the failure to meet requirements other than a variance from the strict and literal performance, which results in unimportant omissions or defects given the particular circumstances involved. This definition is limited to the phrase as used in Sections 300.180(b)(1) and 300.260(f).

Sufficient - Same as adequate.

Supervision - authoritative procedural guidance by a qualified person for the accomplishment of a function or activity within his sphere of competence, with initial direction and periodic inspection of the actual act of accomplishing the function or activity. Unless otherwise stated in this Part, the supervisor must be on the premises if the person does not meet assistant level (two-year training program) qualifications specified in these definitions.

Therapeutic Recreation Specialist - a person who is certified by the National Council for Therapeutic Recreation Certification and who meets the minimum standards it has established for classification as a Therapeutic Recreation Specialist.

Time Out - removing an individual from a situation that results in undesirable behavior. It is a behavior modification procedure which is developed and implemented under the supervision of a qualified professional.

TITLE XVIII - TITLE XVIII OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREFTER AMENDED. (Section 1-126 of the Act)

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TITLE XIX - TITLE XIX OF THE FEDERAL SOCIAL SECURITY ACT AS NOW OR HEREFTER AMENDED. (Section 1-127 of the Act)

TRANSFER - A CHANGE IN STATUS OF A RESIDENT'S LIVING ARRANGEMENTS FROM ONE FACILITY TO ANOTHER FACILITY. (Section 1-128 of the Act)

TYPE A VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY PRESENTING A SUBSTANTIAL PROBABILITY THAT DEATH OR SERIOUS MENTAL OR PHYSICAL HARM TO A RESIDENT WILL RESULT THEREFROM. (Section 1-129 of the Act)

TYPE B VIOLATION - A VIOLATION OF THE ACT OR OF THE RULES PROMULGATED THEREUNDER WHICH CREATES A CONDITION OR OCCURRENCE RELATING TO THE OPERATION AND MAINTENANCE OF A FACILITY DIRECTLY THREATENING TO THE HEALTH, SAFETY OR WELFARE OF A RESIDENT. (Section 1-130 of the Act)

Unit - an entire physically identifiable residence area, in Community Living Facilities consisting of not less than five nor more than 20 beds, and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for each distinct resident area are established as set forth in the respective regulations governing the approved levels of service.

Universal Progress Notes - a common record with periodic narrative documentation by all persons involved in resident care.

Valid License - a license which is unsuspended, unrevoked and unexpired.

(Source: Emergency amendment at 17 Ill. Reg. 8026, effective May 6, 1993, for a maximum of 150 days)

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Program Content and Guidelines for Division of Specialized Care for Children.
- 2) Code Citation: 89 Ill. Adm. Code 1200
- 3) Section Numbers:
1200.30
1200.50
1200.70
1200.Appendix A
Emergency Action:
Amendments
Amendments
Amendments
- 4) Statutory Authority: Implementing Section 1 of "AN ACT enabling the University of Illinois to qualify for funds and aid in relation to the administration of the Division of Specialized Care for Children" (Ill. Rev. Stat. 1991, ch. 144, par. 67.1) [110 ILCS 345/1] and authorized by Section 1 of "AN ACT to provide for the organization and maintenance of the University of Illinois" (Ill. Rev. Stat. 1991, ch. 144, par. 22) [110 ILCS 305/1].
- 5) Effective Date of Amendments: June 30, 1993
- 6) If emergency amendment is to expire before the end of the 150-day period, please specify date on which it is to expire: N/A
- 7) Date Filed in Agency's Principal Office: May 10, 1993
- 8) Reason for Emergency: Budget reduction initiatives. Illinois Administrative Procedures Act (IAPA) states, "The General Assembly finds that the State's current financial situation constitutes an emergency for the purposes of this Act. Beginning July 1, 1992, agencies may implement the changes made by this amendatory Act of 1992 (PA 87-860) or other budget reduction initiatives for Fiscal Year 1993 through the use of emergency rules in accordance with the provisions of Section 5-45 of this Act (IAPA)."
- 9) A Complete Description of the Subjects and Issues Involved:
 - a) Change in age requirement for treatment services from 21 years of age to 18 years of age.
 - b) Adjusted the Income Scale to reflect 58% of gross median income instead of 65%.
 - c) Deleted Illinois Comprehensive Health Insurance Program (CHIP) from the listing of third party payers which deems DSCC as the payer of last resort.
 - d) Allows the Director to establish maximum dollar amounts for payment of authorized services per fiscal year including physician services.
- 10) Are there any proposed amendments to this Part pending? No

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS

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- 11) Statement of Statewide Policy Objectives: Not applicable.
- 12) Information and questions regarding this amendment shall be directed to:
Robert F. Biehl, M.D., M.P.H., Director
Division of Specialized Care for Children
P.O. Box 19481
Springfield, IL 62794-9481
(217) 793-2340

The full text of the emergency amendments begins on the next page:

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER X: THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS
PART 1200
PROGRAM CONTENT AND GUIDELINES
FOR
DIVISION OF SPECIALIZED CARE FOR CHILDREN

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AUTHORITY: Implementing Section 1 of the Specialized Care for Children Act (Ill. Rev. Stat. 1991, ch. 144, par. 67.1) [110 ILCS 345/1] and authorized by Section 1 of the University of Illinois Act (Ill. Rev. Stat. 1991, ch. 144, par. 22) [110 ILCS 305/1].

SOURCE: Adopted at 11 Ill. Reg. 3508, effective February 10, 1987; amended at 13 Ill. Reg. 9283, effective June 6, 1989; amended at 14 Ill. Reg. 5136, effective March 22, 1990; amended at 17 Ill. Reg. 1137, effective March 8, 1993; Emergency amendment at 17 Ill. Reg. 8052, effective 6/30/93, for a maximum of 150 days.

Section 1200.30 Eligibility: General
EMERGENCY

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a) Program Purpose

The purpose of the Illinois Division of Specialized Care for Children is to provide diagnostic and treatment services for children who are disabled as a result of congenital and/or acquired states or have a condition which may lead to disability. The objective is to provide a program of comprehensive evaluation, medical care and related rehabilitative services appropriate to their various needs and to financially support such care to the extent that their Legally Responsible Adults (LRAs) require such financial assistance as determined by the Financial Eligibility Criteria (Section 1200.50 of this Part). Children who are eligible for Programmatic Assistance only will be served without regard to a financial means test. Due to financial limitations, DSCC will only provide assistance to children with certain categories of disabling conditions as defined in Section 1200.40 of this Part.

b) Eligibility Criteria for Diagnostic Services

1) Initial diagnostic services are provided without regard to ability to pay to the extent medically necessary applying usual and customary medical standards to determine whether the child has one of the conditions enumerated in Section 1200.40, Medically Eligible Conditions. Whenever eligibility or ineligibility is established based upon an interview with the child or the LRA, which occurs when a diagnosis has already been established, DSCC shall not be required to provide further initial medical diagnostic services.

2) Children may be but need not be referred for said services by an individual or agency.

c) Eligibility Criteria for Other DSCC Services

1) Programmatic Assistance

To be eligible for Programmatic Assistance a child must meet the following requirements:

A) Be under 21 years of age; ~~(except that DSCC shall provide services beyond the child's 21st birthday when necessary to complete a treatment plan developed before that time if cessation of treatment would cause an immediate threat to or damage to the child's life or good health or would negate gains resulting from previous rehabilitative efforts. In no event may said extension continue beyond six months after the child's 21st birthday).~~

B) Be a Resident of Illinois;

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C) Have a Medically Eligible Condition.

2) Treatment Services and Financial Support

It is recognized that it is the duty and responsibility of the LRAs to pay for necessary health care services for their children. DSCC will assist the LRA with this responsibility ~~for each child meeting the criteria of this subsection~~ by providing treatment services and financial assistance, provided the LRAs are Residents of Illinois, and provided the child:

A) Be under 18 years of age (except that DSCC shall provide Services beyond the child's 18th birthday when necessary to complete a treatment plan developed before that time if cessation of treatment would cause an immediate threat to or damage to the child's life or good health or would negate gains resulting from previous rehabilitative efforts. In no event may said extension continue beyond six months after the child's 18th birthday).

B) Be a Resident of Illinois;

C) Have a Medically Eligible Condition; and in addition:

~~A) D)~~ The LRAs are lawfully admitted to the United States on a visa or permit which contemplates that the LRA will be entitled to permanently remain in the United States or has been admitted under color of law; or

~~B) E)~~ The child aforescribed is a United States citizen.

3) In addition, whenever payment for treatment services or financial support is desired, the LRA must:

A) Meet the financial eligibility criteria set forth at Section 1200.50 of this Part;

B) Make maximum use of insurance benefits, if any, as well as any other form of payment, (such as trust funds, gifts, or fund raising drives) available for the child and/or make the payments toward the support of the child's treatment as are determined by his or her FPA;

C) Sign a Reimbursement Agreement, if the injuries for which treatment is sought were caused by any alleged negligent act (including products liability) and litigation is pending or contemplated.

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- D) Further, any attorney retained to represent the child on any claim relating to the child's medical condition for which DSCC will provide care must separately sign the Reimbursement Agreement. Failure to comply with this requirement will not, however, delay or hinder the application process.

d) Application Process: Initial and Continuing Eligibility

- 1) No person participating in or wishing to participate in the Division's programs shall be denied benefits of the program or shall be discriminated against on the basis of sex, religion, race, color, national origin or handicap not related to program eligibility.

2) General responsibilities of Applicants, Recipient Children, and LRAs:

- A) Applicants/Recipients and LRAs requesting assistance shall furnish requested factual information regarding eligibility and shall keep DSCC informed of any changes in financial status (defined as any change in financial circumstances which would affect financial eligibility for DSCC benefits as set forth in Section 1200.50 including, but not limited to changes in family size, income, or expenses).
- B) The application process requires consent by the LRA(s) to release or to verify medical data and financial information provided as a part of the application process.
- 3) An LRA shall complete and sign a written application on behalf of the Applicant on forms specified by DSCC. DSCC shall inform the Applicant of all relevant time deadlines with respect to filing of an application and appealing any adverse decision. An LRA may choose a person to assist in completing the application. A representative of a public agency may complete and sign the application for a child in that agency's custody. A representative of a private agency may complete and sign the application for a child if he/she is the authorized guardian for the child.

- 4) A completed application must be submitted to DSCC within the following time periods:

- A) In all cases, a completed application for initial eligibility must be received by DSCC within thirty (30) days from the date of services for which assistance is desired. Applications not received within said 30 day period shall be processed for reimbursement of treatment services provided no more than 30 days prior to the actual date of receipt. This time period shall be adjusted by DSCC for good cause if DSCC is notified of the circumstances within the 30 day time period (for purposes of this clause,

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"good cause" shall include, but shall not be limited to, a family emergency, demonstrated delays caused by the U.S. Postal Service, and demonstrated delays caused by the Internal Revenue Service in providing a copy of an income tax return).

- B) Applications for continuing financial eligibility must be received by DSCC within the current period of eligibility. If an application is received after said eligibility time period, continuing eligibility shall recommence no more than thirty (30) days prior to the date the application is actually received by DSCC.

- 5) If financial support is desired, the LRA shall complete and sign a financial application on behalf of the Applicant on forms specified by DSCC, which shall be submitted within the time periods specified in Section 1200.30(d)(4).

- A) Such statement shall include a copy of the LRA's most recent filed federal income tax return. If an LRA is not required to file with the Internal Revenue Service, verification of income must be submitted.

- B) DSCC shall accept other supporting documents from the LRA to verify level of income if DSCC determines that the documents provided prove the information sought and if the LRA has demonstrated diligence in attempting to obtain federal tax returns or pay stubs but has been unsuccessful in doing so.

- C) DSCC shall accept supporting documentation from the LRA that reflects financial eligibility for services being provided by or reimbursed by the Illinois Department of Public Aid (IDPA) or any other state agency using criteria the same as or more stringent than DSCC.

- 6) If financial support is not desired, no financial application is required. Applicants with a Medically Eligible Condition who either do not desire or do not qualify for DSCC financial support shall be eligible for Programmatic Assistance.

- 7) Determination of eligibility is performed at the regional offices. (See 2 Ill. Adm. Code 5155.Appendix A.)

- A) The DSCC staff shall verify the information provided on behalf of the Applicant. This may include discussion, including an interview with the LRA, if the application is not complete. The interview shall be conducted at a place and time convenient to all parties.

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- B) If supplemental information required by DSCC to determine eligibility is not provided within thirty (30) days after the LRA receives notice of a requirement that said information is needed to complete this application, DSCC shall then advise the LRA that the application will be invalidated and not given further consideration unless the LRA was precluded, due to causes beyond his/her control, from providing the information required.
- C) A written decision regarding eligibility shall be sent to the LRA and any referring medical care provider or referring agency within thirty (30) days of receipt of the completed application unless the emergent nature of the child's condition requires a decision in a more timely fashion.

(Source: Emergency amendment at 17 Ill. Reg. 8052 effective 6/30/93 or for a maximum of 150 days.)

Section 1200.50 Financial Eligibility
EMERGENCY

- a) The LRA has an obligation to meet the cost of medical care for his/her Recipient Child to the extent they are able. Full or partial financial assistance, in the form described in Section 1200.90 of this Part, is provided to LRAs who are unable to meet such expenses from their own resources as established through a Financial Need Determination performed pursuant to criteria established in Section 1200.50(c) and (d).
- b) Exceptions to Financial Need Determination
- 1) DSCC provides diagnostic services necessary to determine medical eligibility without regard to the economic status of an Applicant's LRAs.
 - 2) Financial information is not required from LRAs when:
 - A) medical eligibility is uncertain;
 - B) no expenditure of DSCC funds is anticipated;
 - C) the child is a ward of the state agency which is financially responsible for the child's medical care;
 - D) the child has been determined eligible for services being provided by or reimbursed by a state agency using criteria the same as, or more stringent than, DSCC.

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- c) Criteria for Financial Assistance
- 1) Financial eligibility is based upon the financial status of the LRA requesting financial assistance.
 - 2) The Income Scale (Appendix A) and the Payment Scale (Appendix B) are used to determine financial eligibility. The Income Scale represents 66%-59% of the gross median family income adjusted for family size as developed for the State of Illinois by the U.S. Department of Health and Human Services, Family Support Administration under the provisions of Section 2603(7) of Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Although this scale is derived from gross income figures, for purposes of financial eligibility, a family is placed on the scale according to its Adjusted Family Income and family size.
 - 3) Full financial assistance is provided when the Adjusted Family Income considering family size is equal to or less than that which is allowable in accordance with the Income Scale. The LRA and attorney must submit a Reimbursement Agreement, if applicable, as provided in Section 1200.30(c)(3)(C).
 - 4) Partial financial assistance is provided when the Adjusted Family Income considering family size exceeds the amount allowable on the Income Scale, subject to the following conditions:
 - A) A determination that the annual family payment as established in the Payment Scale is less than the anticipated cost of services for the proposed period of eligibility;
 - B) Completion of a Financial Participation Agreement (FPA) by the LRA. An FPA will be required whenever the LRA of a Recipient Child is eligible for partial financial assistance. The FPA shall be signed and returned to DSCC within thirty (30) days of its receipt by the LRA.
 - i) The FPA obligates an LRA to pay for DSCC approved care for the Recipient Child. The amount will be equal to the annual family payment described by the Payment Scale. DSCC will use this money to pay for the child's direct and related care.
 - ii) The FPA shall cover all Recipient Children in one family.
 - C) Submission of a Reimbursement Agreement by the LRAs and attorney(s), as provided in Section 1200.30(c)(3)(C), if applicable.

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- D) Adjustments to the annual family payment shall be made by DSCC if there is evidence in the application or through additional information that indicates the LRA has the ability to assume cost-sharing beyond the amount previously indicated based upon application of the financial eligibility criteria in this Section 1200.50.

- 5) The LRA shall be determined ineligible for financial assistance from DSCC when:

- A) It is determined that the Adjusted Family Income is in excess of \$10,499 of that which is allowable in accordance with Appendix A, the Income Scale.
- B) An LRA has failed within the time periods established in Section 1200.30(d) to provide sufficient information to determine eligibility. In such instances, eligibility shall commence 30 days prior to the postmark date or, if unavailable, the date of receipt of such information necessary to establish eligibility.
- C) An LRA has failed within the time period established in Section 1200.30(d) to complete and sign the application (including the financial application), the Reimbursement Agreement (Section 1200.30(c)(3)(C)), if applicable, and an FPA, if applicable (Section 1200.50(c)). In such instances, eligibility shall commence 30 days prior to the postmark date or, if unavailable, the date of receipt of the signed application, and/or Reimbursement Agreement, and/or FPA.

- D) The family is fully enrolled in the Illinois Comprehensive Health Insurance Program or a Health Maintenance Organization (HMO) which has responsibility for provision of medical care for the Applicant or Recipient Child. However, families with HMO coverage are eligible for financial assistance to the extent that the HMO has no responsibility for such care.

- E) In addition, the LRAs shall lose their financial assistance if:

- i) Medical insurance payments or other forms of payment available or paid directly to the LRA to meet the cost of care for the Recipient Child have not been applied to the cost of care arranged, authorized, and paid by DSCC for that child. In such instances, the LRA may reapply for assistance upon repayment to DSCC of an amount equal to the medical insurance payments made available but not applied toward the child's cost of care.

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- ii) An LRA has not complied with the payment schedule established in the FPA with DSCC. In such instances, the LRA may reapply for assistance once the required payment has been made to DSCC.
- iii) An LRA fails to notify DSCC within thirty (30) days of any change in the child's medical insurance which results in medical coverage for costs which are currently paid for by DSCC.
- iv) It is determined that the LRA has in any way falsified documents used to determine eligibility.

- 6) LRAs determined to be wholly or partially ineligible shall be advised of the right to appeal the determination in accordance with the procedures as set forth in Section 1200.60.

7) Period of Financial Eligibility

- A) Financial eligibility shall be established for a period of up to twenty-four (24) months commencing no sooner than thirty (30) days prior to the date a completed application is received by DSCC if applicants are able to provide current federal tax information. For purposes of this Section, current federal tax information shall be defined as the tax information for the calendar year prior to the year of application; or
- B) Financial eligibility shall be established for a period of up to twelve (12) months commencing no sooner than thirty (30) days prior to the date a completed application is received by DSCC under the following circumstances:
- i) Applicants able to provide federal tax information not older than one (1) year prior to the current federal tax information.
- ii) Applicants not required to file federal income tax forms as defined by the federal Internal Revenue Service. Income must be verified using two (2) consecutive pay stubs that are within two (2) months of application.
- iii) Applicants determined to have a Financial Participation Agreement.
- iv) Applicants determined financially eligible on the basis of eligibility for services being provided by or reimbursed by the Illinois Department of Public Aid (IDPA) or any other state agency using criteria the same as or more stringent than DSCC.
- C) When more than one child in a family is eligible for financial assistance, the period of eligibility for all eligible children will be for the same period.

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D) Financial eligibility shall be redetermined subject to the date established at subsection (7)(A) and (B) above.

E) The period of financial eligibility may be less than 12 months under the following circumstances:

- i) DSCC eligibility was based upon eligibility with the Illinois Department of Public Aid (IDPA) or any other state agency and such eligibility has been cancelled. Eligibility for DSCC benefits shall be cancelled at the same time that IDPA or the other state agency eligibility is cancelled.
- ii) The Recipient Child, at the time of financial evaluation, was a ward of an agency or court because adoption had not been finalized, and the adoption is finalized. DSCC eligibility shall terminate on the effective date of the finalization of the adoption.
- iii) Supplemental information submitted pursuant to Section 1200.30(d)(2)(A) of this Part causes a change in financial eligibility.

F) In the event that an LRA submits information, at any time, which, upon verification by DSCC, establishes that the LRA is eligible for financial assistance at a level in excess of that previously approved by DSCC, a new period of eligibility shall begin on the date said information is received by DSCC, provided that the LRA has signed a revised FPA, if one is required pursuant to subsection (c)(4)(B).

d) Financial Determination Calculations

1) Family Size

A) Family size shall be determined by the sum of the number of persons in each of the following categories when they share the same household. However, if a person falls into more than one category, that person shall be counted only once:

- i) The Applicant or Recipient Child;
- ii) The Applicant or Recipient Child's spouse;
- iii) An LRA and his/her spouse;
- iv) Other persons who, for Federal Income Tax purposes, are deemed dependents of the applying LRA.

2) The family's annual Total Income shall be the sum of all income of persons comprising the family unit, as determined above but excluding income of dependent children except income of the dependent Applicant or Recipient

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Child and his/her spouse. Total Income shall include all income as defined by the Internal Revenue Service for federal income tax reporting purposes.

3) The following are allowable expenses which the family may deduct from their annual Total Income in determining financial eligibility:

A) The larger of:

- i) The federal income tax Standard Deduction Rate based on the LRA's federal income tax filing status used to determine financial eligibility; or
- ii) The total itemized deductions as reported on Schedule A of the LRA's federal filed income tax return used to determine financial eligibility.

B) Child and dependent care costs in accordance with the guidelines established by the Internal Revenue Service for federal income tax reporting purposes.

(Source: Emergency amendment at 17 Ill. Reg. 8052, effective 6/30/93, for a maximum of 150 days.)

Section 1200.70 Payment for Services
EMERGENCY

a) With respect to Medicaid, Medicare, ~~Illinois Comprehensive Health Insurance Program (CHIP)~~, any other medical insurance plan or policy or other third-party payers, unless prohibited by law, DSCC shall be deemed the payer of last resort. Nothing contained in these regulations shall authorize or require DSCC to provide payment for medical services, hospital services, supplies or appliances which would otherwise be paid by Medicaid, Medicare, ~~Illinois Comprehensive Health Insurance Program (CHIP)~~, any other medical insurance plan or policy or other third-party payers, including donated funds and such other funds available for medical care derived from settlement of injury claims.

b) Payments for services are subject to the availability of funds as determined by the University of Illinois in its sole discretion.

1) If DSCC determines, based upon its own internal auditing and record keeping systems, at any time, that it does not have or will not have sufficient funds to provide payments for authorized services for additional Applicants, DSCC shall:

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- A) Cease accepting applications.
 - B) Post notices in conspicuous places in DSCC offices and clinics and in other places where such notices are likely to be seen by Applicants. The notices shall state that DSCC is no longer accepting applications because of insufficient funds, and shall state the probable date on which DSCC shall again accept applications. Notices will also be posted in a like manner when funding again becomes available.
 - C) DSCC employees shall inform clinic patients and other persons that DSCC is no longer accepting applications because of insufficient funds, and shall inform such persons of the probable date on which the Division shall again accept applications.
 - D) Cease authorizing additional health care services for Recipient Children whose LRAs are eligible for DSCC financial assistance.
- 2) If DSCC determines, based upon its own internal auditing and record keeping systems, at any time that it does not have or will not have sufficient funds to provide payments for authorized services for Applicants who have applied, but with respect to whom no determination of eligibility has been made, DSCC shall nevertheless finish processing those applications and determine the eligibility or ineligibility of each such Applicant and his/her LRA for use in the event that additional funds become available. In such event, the LRAs of eligible applicants shall be provided funding in the order received unless a child's life or good health is threatened in which event said child's application will be given priority.
 - 3) DSCC shall make payments for authorized services in the order in which DSCC receives bills for such services.
 - 4) If DSCC determines due to nonavailability of funds that it is unable to pay for an authorized service, it shall cancel the authorization and any related purchase order any time up to the point at which services have been provided. For this purpose, the authorization and related Purchase Order shall contain the following statement: "This authorization is subject to all of the various rules and procedures set forth at 89 Ill. Adm. Code 1200." In the event any authorization is cancelled pursuant to this limitation, any charges incurred for services rendered after the date of cancellation shall not be the obligation of DSCC.
 - 5) Except as otherwise specifically provided herein in the event that DSCC determines that it does not or will not have sufficient funds to provide

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- payments for all Applicants, present and future, as well as to make payments in behalf of all Recipient Children, it shall first cease accepting applications in accordance with subsection (1) above. If after taking such action, it is still determined that sufficient funds are not available, it shall take the actions set forth in subsection (2) above. If after taking such action, it is still determined that sufficient funds are not available, it shall take the actions set forth in subsections (3) and (4) above. In the event that the life or good health of a child is threatened if a procedure is not performed, DSCC shall give funding such procedure priority over other procedures not posing such threat.
- c) The Director shall establish a maximum dollar amounts for payment of authorized non-physician services per fiscal year which shall be applied to each child. DSCC shall provide notice of the limit to all Recipients and Health Care Facilities who may be affected.
 - d) By accepting a DSCC authorization, the Health Care Provider agrees not to seek further payment from the patient or the patient's family for such authorized services beyond the amounts available from insurance, DSCC, Medicare, or Medicaid. In those cases where DSCC has notified the Provider that money is no longer available from DSCC, the Provider shall not be so restricted.
 - e) Insurance
 - 1) Maximum insurance benefits must be used. The LRA is responsible for complying with insurance contract provisions required to maximize the level of insurance benefits.
 - 2) Payment for authorized services for children with insurance benefits shall not be made until insurance has paid or rejected the claim. Subject to all the limits on benefits-as contained in these Rules, DSCC will pay the cost of all required services above that reimbursed by insurance up to an established rate of payment. The Director shall approve payment for authorized services prior to settlement of the insurance claims if such is necessary to avoid undue suffering or to preserve life and good health, and if immediate payment will cause DSCC funds to be utilized in the most efficient and effective fashion, all as determined based on usual and customary medical standards.
 - 3) The family shall notify DSCC within thirty (30) days of any change in the child's medical insurance coverage which results in coverage of costs which are currently paid for by DSCC.
 - f) DSCC will not provide reimbursement for minor occasional costs of a Recipient Child's treatment. For purposes of this clause "minor costs" shall be defined as

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Section 1200.APPENDIX A Income Scale
EMERGENCY

charges for supplies, equipment, replacement parts, repair and replacement of equipment, and drugs less than \$25 each. "Occasional costs" shall be defined as costs occurring less frequently than once per month. In the event that minor costs are not occasional, they may be aggregated by the LRA and will be authorized by DSCC.

g) Submittal of Claims

- 1) In order to be eligible for payment consideration, a provider's/vendor's payment claim or bill, either initial or resubmittal following prior rejection, must be received by DSCC no later than nine (9) months from the date on which medical services, appliances or supplies are provided. This includes third party payment or denial information.
- 2) Claims which are not submitted and received by DSCC in compliance with the requirements of subsection (g)(1) will not be eligible for payment under DSCC's medical program. DSCC and the patient or patient's family or guardian shall have no liability for any payment thereof.

(Source: Emergency amendment at 17 Ill. Reg. 8052, effective 6/30/93, for a maximum of 150 days.)

| Size of Household | Income Scale | Income* (FY 93) |
|-------------------|--------------|-----------------|
| 1 | | \$ 14,900 |
| 2 | | \$ 13,300 |
| 3 | | 19,500 |
| 4 | | 24,100 |
| 5 | | 28,700 |
| 6 | | 25,600 |
| 7 | | 33,300 |
| 8 | | 29,800 |
| 9 | | 37,900 |
| 10 | | 33,900 |
| 11 | | 38,800 |
| 12 | | 39,700 |
| | | 40,900 |
| | | 41,400 |
| | | 42,200 |
| | | 43,100 |

This table is based upon 65% 58% of the gross median family income adjusted for family size as developed for the State of Illinois by the U.S. Department of Health and Human Services, using the Federal Register's updated table for gross median family income (57 Fed. Reg. 6614). In order to find 65% 58% of state median income for households with greater than 12 members, perform the following calculation:

- 1) Begin with 150%;
- 2) Add 3 percentage points for each additional family member;
- 3) Multiply figure obtained at step (2) by 28,700 25,600 (i.e., the 4 person household amount);
- 4) Round the figure obtained at step (3) to the nearest \$100.

*Allowable Adjusted Family Income which results in full financial assistance.

(Source: Emergency amendment at 17 Ill. Reg. 8052, effective 6/30/93, for a maximum of 150 days.)

DEPARTMENT OF CORRECTIONS

DEPARTMENT OF CORRECTIONS

NOTICE OF PEREMPTORY AMENDMENTS

NOTICE OF PEREMPTORY AMENDMENTS

1) Heading of the Part: RIGHTS AND PRIVILEGES

2) Code Citation: 20 Ill. Adm. Code 525

3) Section Numbers: 525.140
Peremptory Action: Amend

4) Reference to the specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking: Isaac Green v Peters, #71 C 1403, N. D. Ill, 1993

5) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedures Act (Ill. Rev. Stat. 1991, ch. 127, par 1001-1 et seq.) {5 ILCS 100/1-1 et seq.}.

6) Effective Date: May 27, 1993

7) A Complete Description of the Subjects and Issues Involved: The Department was ordered by the court to promulgate rulemaking to amend Section 525.140(k) to remove the outside listing rule. The order also includes clarifications to the first sentence which were inadvertently omitted from the peremptory amendment adopted January 22, 1993. (An expedited correction has also been requested.)

8) Does this rulemaking contain an automatic repeal date? Yes
X No

9) Date Filed in Agency's Principal Office: May 17, 1993

10) This rule is in compliance with Section 5.03 of the Illinois Administrative Procedure Act.

11) Are there any proposed amendments pending to this Part? No.

12) Statement of Statewide Policy Objectives: This rulemaking does not create or expand any State mandates on units of local government.

13) Information and questions regarding this adopted amendment shall be directed to:

Name: David C. Watkins, Deputy Director
Illinois Department of Corrections
Address: P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: 217/522-2666

The full text of the Peremptory amendments begins on the next page:

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER e: OPERATIONS

PART 525
RIGHTS AND PRIVILEGES

SUBPART A: VISITATION

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| 525.12 | Definitions |
| 525.15 | Responsibilities |
| 525.20 | Visiting Privileges |
| 525.30 | Clergy Visitation |
| 525.40 | Attorney Visitation - Adult and Community Services Divisions |
| 525.50 | Attorney Visitation - Juvenile Division (Court Agreement) |
| 525.60 | Restriction of Visitors |

SUBPART B: MAIL AND TELEPHONE CALLS

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| 525.100 | Applicability |
| 525.110 | Definitions |
| 525.115 | Responsibilities |
| 525.120 | Processing of Mail |
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SUBPART C: PUBLICATIONS

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| 525.202 | Definitions |
| 525.205 | Responsibilities |
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| 525.220 | Publications Review Committee |
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SUBPART D: MARRIAGE OF COMMITTED PERSONS

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| 525.300 | Applicability |
| 525.302 | Definitions |
| 525.305 | Responsibilities |
| 525.310 | Request for Permission to Marry |

ILLINOIS REGISTER

DEPARTMENT OF CORRECTIONS

NOTICE OF PEREMPTORY AMENDMENTS

AUTHORITY: Implementing Sections 3-2-2, 3-7-1, 3-7-2, 3-7-4, 3-8-7, and 3-10-8 of the Unified Code of Corrections (730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-7-4, 3-8-7, and 3-10-8 (1992)), formerly Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-7-1, 1003-7-2, 1003-7-4, 1003-8-7, and 1003-10-8) and Section 1-3 of the Juvenile Court Act of 1987 (705 ILCS 405/1-3 (1992)), formerly Ill. Rev. Stat. 1991, ch. 37, par. 801-3) and authorized by Sections 3-2-2, 3-7-1, and 3-7-4 of the Unified Code of Corrections (730 ILCS 5/3-2-2, 3-7-1, and 3-7-4 (1992)), formerly Ill. Rev. Stat. 1991, ch. 38, pars. 1003-2-2, 1003-7-1, and 1003-7-4). Subparts A and C are also implementing Consent Decrees (Tillman vs. Rowe, #77 C 1303, N.D. Ill., 1977 and Green vs. Sielaff, #71 C 1403, N.D. Ill., 1973 and amended 1976).

SOURCE: Adopted at 8 Ill. Reg. 14598, effective August 1, 1984; amended at 9 Ill. Reg. 10728, effective August 1, 1985; amended at 11 Ill. Reg. 16134, effective November 1, 1987; amended at 12 Ill. Reg. 9664, effective July 1, 1988; amended at 14 Ill. Reg. 5114, effective April 1, 1990; amended at 14 Ill. Reg. 19875, effective December 1, 1990; emergency amendment at 16 Ill. Reg. 3583, effective February 20, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10439, effective July 1, 1992; peremptory amendment at 17 Ill. Reg. 1666, effective January 22, 1993; peremptory amendment at 17 Ill. Reg. 8069, effective May 27, 1993.

DEPARTMENT OF CORRECTIONS

NOTICE OF PEREMPTORY AMENDMENTS

Section 525.140 Incoming Mail

- a) Incoming privileged mail must be clearly marked as "privileged" and be clearly marked with the name, title and address of the sender.
- b) Incoming privileged mail may be opened in the presence of the committed person to whom it is addressed to inspect for contraband, to verify the identity of the sender, and to determine that nothing other than legal or official matter is enclosed.
- c) Incoming privileged mail may contain communications only from the privileged correspondent whose name and address appear on the envelope. If non-privileged material or correspondence from a third party is found to be enclosed, such material shall be treated as non-privileged mail.
- d) All incoming non-privileged mail, including mail from clerks of courts, shall be opened and inspected for contraband.
- e) Cashier's checks, money orders and business checks subject to the restrictions imposed by 20 Ill. Adm. Code 205 shall be deposited in the committed person's trust fund account, with a record made of the sender's name, the amount received, and the date. For purposes of this Section a business check shall mean a check written on any agency or firm's account and any check written on an employer's personal account for wages due a person assigned to the Community Services Division. The committed person shall be notified of all monies received and deposited in his trust fund account. However, any checks or money orders which exceed the limitation on the amounts (20 Ill. Adm. Code 205) shall be returned to the sender, and the committed person shall be notified.
- f) Personal checks and cash shall be returned to the sender, and the sender shall be notified that funds cannot be received in that form.
- g) Correctional officials may spot check and read incoming non-privileged mail. Incoming mail or portions thereof may be inspected, reproduced, or withheld from delivery for any of the reasons listed in Section 525.130(h) of this Subpart or if determined to be obscene by the Publications Review Committee in accordance with Subpart C of this Part.
- h) When a committed person is prohibited from receiving a letter or portions thereof, the committed person and the sender shall be notified in writing of the decision.

DEPARTMENT OF CORRECTIONS

NOTICE OF PEREMPTORY AMENDMENTS

- i) If a committed person has been transferred or released, first class mail shall be forwarded to him if his address is known. If no forwarding address is available, the mail shall be returned to the sender.
- j) If a committed person has been absent from the facility on a furlough or pursuant to writ, his mail shall be held at the facility for a period of one month, unless the committed person has made a written request to the Chief Administrative Officer to have his mail forwarded to another address. At the conclusion of the month, first class mail shall be forwarded to the committed person's address, if known, or returned to the sender, unless alternative arrangements have been made.
- k) Committed persons may receive publications, including books, and periodicals and catalogs, in accordance with Subpart C of this Part, and may receive manual typewriters ordered directly from a supplier through the commissary. Other packages may be received only as approved by the Chief Administrative Officer. The contents of all packages other than packages sent from pre-approved vendors, including packages containing books and periodicals, must be clearly listed on the outside of the package. Packages which do not contain a description of the contents shall be returned to the sender. All packages shall be opened and searched prior to delivery.

(Source: Peremptory amendment at 17 Ill. Reg. 806.2, effective May 27, 1993)

ILLINOIS DEPARTMENT OF THE LOTTERY

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

- 1) Heading of the Part for which proposed rulemaking is being corrected:
Lottery (General)
- 2) Code Citation: 11 Ill. Adm. Code 1770
- 3) Illinois Register citation to Notice of Proposed Amendments:
16 Ill. Reg. 16738; November 6, 1992
- 4) Sections being corrected:
Section 1770.20
Section 1770.110
Section 1770.170
Section 1770.190
- 5) Corrections being made:
The provisions for \$20.00 application and renewal fees were included in the rulemaking in error and are now deleted from Sections 1770.20 and 1770.110. Further, punctuation inconsistencies in Section 1770.20 are corrected.
The provisions regarding random computer selection of winning numbers were prematurely included in this rulemaking and are now deleted from Section 1770.170.
Public Act 87-1197 was misinterpreted in Section 1770.190 as originally published and is now corrected to include payments up to and including \$25,000 made at Lottery regional or administrative offices.
The full text of these sections begins on the following page.

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

Section 1770.20 Selection of Lottery Sales Agents, and License Application and Fee; On-Line Status

a) The Director shall license as Sales Agents, persons engaged in business activity dealing with the public provided, however, that the sole proprietors, partners, corporate officers or principals of an applicant must be 18 years of age or older to be eligible to apply for a license. The total number of Sales Agents shall be sufficient to assure that lottery products are conveniently available to the public throughout the state, consistent with the constraints of the Department's budget. Any person interested in obtaining a license as a Sales Agent, must first fill out an application with the Department, on such forms as may be provided by the Department. The Department will have a representative meet with the applicant to discuss the responsibilities of selling lottery products, and gather information concerning the applicant and his business establishment concerning the factors listed below. The Director shall give careful consideration of the following factors in selecting as Sales Agents those persons which one may expect to provide a high level of sales volume of lottery products, proper security for the lottery equipment, tickets and money, and a good public image for the state's lottery products.

- 1) The credit worthiness and financial responsibility of the applicant as disclosed by standard credit reporting services, the records of the state and such other credible information bearing upon the credit worthiness of the applicant as may be brought to the attention of the Director.
- 2) The physical security of the applicant's establishment in terms of the physical structure and design of the applicant's facilities as it would relate to the placement of lottery equipment, the sale of lottery products and the storage of lottery receipts.
- 3) The public accessibility of applicant's place of business or activity, including accessibility from roads, major highways, parking facilities, public transit routes, accessibility by the disabled, proximity of pedestrian traffic, hours of operation of applicant's business, and the cleanliness, attractiveness and physical security of the premises.
- 4) The number of existing lottery sales licenses in the vicinity.
- 5) The nature of the applicant's business and the volume of the applicant's sales from his regular business in order to assure that the sale of lottery products will be ancillary to the applicant's regular business.
- 6) The level of anticipated or projected sales from the general area in which the applicant's business is located taking into consideration the demographics of the neighborhood or locality, the proximity of the location to population

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

centers and the average sales for other comparable agents.

- 7) The character of the applicant and his or her reputation for honesty and integrity in the community.
- 8) The veracity of the information supplied in the license application.
- 9) The merchandising skills and business experience of the applicant, including the tenure of applicant's business at the proposed location.
- 10) The applicant may provide any information relating to the above listed factors to the Department's representative at the time of the site visit or may include any information relating to these factors at the time of submission of the application.

b) The Director shall make available forms for application for lottery sales licensing. Each license application shall be accompanied by a non-refundable \$10 application fee, which application and fee should be mailed or delivered to the Office of the Director located at:

Director
Illinois Department of the Lottery
201 East Madison Street
Springfield, Illinois 62702

- c) The license fee described in subsection (b) will be waived by the Department if the period of the license does not exceed 30 days.
- d) The Director may grant a licensed Sales Agent on-line status based upon an evaluation conducted by an employee of the Department. The evaluation will include, but shall not be limited to:

- 1) Performance as an instant Sales Agent, including sales volume, settlement practices and compliance with Department procedures;
- 2) Financial responsibility;
- 3) Proximity to existing on-line Sales Agents;
- 4) Ability to pay valid winning tickets;
- 5) Days and hours of operation;
- 6) Accessibility of the Sales Agent's place of business, including available parking, proximity of public transit stops and accessibility by the disabled; and
- 7) Anticipated volume of on-line sales.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF THE LOTTERY

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

Section 1770.110 License Expiration and Renewal

All licenses issued by the Department pursuant to this Act shall be valid for a period not to exceed two years after issuance unless sooner revoked, cancelled or suspended. The license may be terminated before the expiration date by the Director in accordance with this Part. To be eligible for license renewal, an agent must submit an updated application package.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1770.170 Lottery Games

- a) The Director may authorize instant ticket games in which winners are determined by matching certain of the numbers, letters, characters, words or devices as provided by the rules of the game. Instant game rules may also provide for preliminary and grand prize drawings. Preliminary drawings will be conducted at the Lottery Central offices to determine semifinalists for Grand Prize drawings. Preliminary drawings will be from those tickets or shares eligible for entry into the preliminary drawing and submitted to the Department as part of the preliminary drawing pool in such manner and by such deadline as may be provided by departmental directive. Preliminary drawings shall be open to the public and notice of such drawings shall be posted in the State of Illinois Center in the City of Chicago and the Department's Central offices in the City of Springfield, Illinois, at least five days prior to such drawing. Grand prize drawings shall be conducted pursuant to the rules of the game, and copies of written procedures to be followed at Grand Prize drawings will be furnished each finalist prior to a drawing.

- b) The Department may offer passive lottery games wherein tickets bear pre-assigned numbers or words. Winners in such games shall be determined either by the results of future events or by publicly held drawings wherein randomly drawn numbers are selected and tickets with numbers matching those drawn shall entitle the ticket holder to the prize indicated on the ticket and in accordance with the prize structure established by the game rules.

- c) The Department may offer computer operated games where players are permitted to purchase tickets bearing player-selected numbers for drawings which are regularly scheduled in accordance with game rules. With respect to such games, the Director shall conduct drawings using ~~each~~ air-driven or gravity selection equipment including but not limited to, devices utilizing air-driven ball selection, gravity mixing chamber ball selection, spinning wheel and ball selection or similar equipment, and utilizing either hollow or solid balls appropriate to the type of equipment utilized. Drawings shall be by random selection in the presence of a certified public accountant who will monitor the integrity of the drawing procedure. Players holding tickets with numbers corresponding to those drawn in the several games shall be entitled to prizes in the amounts set forth in game rules to be established by the Director, provided that prizes awarded in connection with the parimutuel game commonly known as "Lotto" or any variation thereon by any name otherwise designated, shall be

DEPARTMENT OF THE LOTTERY

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

awarded on the basis of the prize pool available, in accordance with the prize structure established by game rule.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1770.190 Prize Payment, and Claiming of Prizes and Transfers to Common School Fund

- a) The prize structure may vary with each game and will be established at the beginning of the game by the Director. The prize structure, odds of winning, the manner in which winners are determined, the claim period for the game and various procedural matters will be set forth in game rules and play instructions.
- b) Claims for all prizes as designated in game rules and directives issued by the Department and in the amount of ~~\$600 or less~~ less than \$600 may be claimed by presenting winning tickets to Lottery sales agents, within such agent claim periods as may be established by the Director in game rules for the various games. Agents shall pay such prizes directly from Lottery ticket sales funds on hand, or when instructed by the Department, by filing the winning tickets and claim forms with the Department. Claims presented for payment at agent locations after the agent claim period established in game rules shall be presented to any Department office for payment. When a claim is presented to any agent for payment, the claimant shall present the ticket to the agent, complete the name and address portions on the reverse of the ticket and show identification. The agent, after verifying the following verification procedures which establish that the ticket is a winning ticket for the drawing date on the ticket and examining the ticket for alteration, shall pay the claimant or his or her authorized representative directly.
- c) Prizes of \$600 up to \$25,000 may be paid by Lottery regional or administrative offices, subject to established claim periods and validation tests. All claims for prizes of more than \$25,000 ~~\$600 or more~~, as well as claims for lesser prizes not paid by Lottery regional offices, administrative offices, or by an agent pursuant to subsection (b) of this Section, must be paid centrally by the Department. Claimants may obtain claim forms from any lottery on-line ticket sales agent, any departmental regional office, or the Department's administrative offices in Chicago or ~~any~~ ~~general offices in~~ Springfield, Illinois. When initiating a claim at any of the aforesaid offices, a claimant shall present proof of identification and the winning ticket. The agent or Department employee, as applicable, will assist the claimant in filling out the claim form which will be signed by the agent or employee and by the claimant or his or her authorized representative. The claimant or authorized representative will receive a copy of the

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

claim form as a receipt. The winning ticket and a copy of the claim form will be sent to the Department's central offices in Springfield, Illinois, for verification. When the ticket is verified as a winning ticket, the prize, or first installment thereof in the case of installment awards will be mailed to the claimant.

d) Prizes in the amount of \$1,000 or less claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, shall be claimed in the individual name of one of the partners or members of the group. Payment of any claim filed on behalf of such an individual group member shall be in the same manner as if filed on behalf of a single claimant.

e) Prize payments for prizes in the amount of \$5,000 or less Prizes in excess of \$1,000 but less than \$1,000,000, claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, may file the claim may be claimed in the individual name of one of the partners or members of the group. Any claim filed on behalf of such an individual group member shall be filed in the same manner as if filed on behalf of a single claimant, except that the a group claimant requesting individual checks to each group member must attach form IDL-206 may attach federal income tax form 5754 and Illinois income tax form IL-5754 listing the names, addresses, social security numbers and other relevant data with respect to each member of the partnership or group sharing the prize, and the respective shares of each such individual member. The Department will process a voucher payable to each individual listed on the form 5754 IDL-206, dividing the winnings equally, or as otherwise designated on the form 5754 IDL-206. The Department will then process payment vouchers with forms 5754 attached, to the office of the Comptroller for preparation of warrants and end of year income tax withholding documents. Claim and payment may be made in a partnership name only if the partnership furnishes a Federal Employer's Identification Number (FEIN).

e) Prize payment warrants for prizes in the amount of \$5,000 \$1,000,000 or more claimed by multiple winners playing as partners or as a group, with common ownership of a winning ticket at the time of the prize drawing, will be made out to a partnership as a single payee, or to each of the individual partners or members, as requested in writing by the winners and provided that each individual's gross annual payment will equal or exceed \$5,000. Partnership claims shall include the name, address and Federal Employer's Identification Number of the partnership and the ticket and claim form will be signed by at least one of the general partners on behalf of the partnership. Claims for payment to the individual winners of a group prize will be filed by each partner or member executing a claim form which then must be endorsed by one of the partners or members, who will sign the ticket on behalf of the group. The ticket and all of the individual claim forms, together with a claim cover form listing each of the group claimants and such other pertinent information as the Department may require for processing of the claim, will be filed as a single

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

claim package. Prior to payment, the partnership must submit a written partnership agreement evidencing, at a minimum, that an oral agreement for group play existed prior to the purchase of the winning lottery ticket. The partnership agreement shall be subject to review by the Department's legal staff, and may not contain any provisions contrary to law. Where separate checks have been requested, the partnership must additionally furnish social security numbers and payment instructions for each partner. Upon approval, the Department will then process separate vouchers for payment of the proportionate share due each of the several claimants.

f) Lottery clubs, charitable organizations, corporations, partnerships and other "artificial" persons shall be eligible to purchase lottery tickets. However, with respect to awards of prizes for life, such "artificial" persons shall be entitled to the minimum guaranteed prize.

g) Prize structures for parimutuel games offered by the Department will be established by game rule. With respect to each such game, the prize pool for each level of prize offered per drawing will be expressed as a percentage of total ticket sales for the drawing. The Grand Prize pool will be divided by the number of Grand Prize Winners to determine the amount of cash available per winner. If the cash available per winner is sufficient to purchase an annuity or federal security investment sufficient to yield a minimum of \$1 million per Grand Prize winner payable over twenty years, inclusive of first-year cash payment of 1/20th of the winner's share of the Grand Prize and nineteen subsequent installments on an annual basis, the investments will be made by the Department and the prize paid accordingly. If the amount available in the Grand Prize pool is not sufficient to purchase a minimum investment designed to yield at least \$1 million per each Grand Prize winner as provided hereinabove, the Grand Prize pool will be divided equally among the winners and paid in a single lump sum payment. The amount of lower tier prizes will be determined by dividing each of the prize pools by the number of winners for each respective prize level, and rounding each prize payment down to the nearest fifty cents.

1) Payment of prize installments due with respect to a prize due a winner whose death occurs prior to payment of the final installment may be accelerated. Any prize, or portion thereof remaining unpaid at the death of a winner, may be paid to the estate of such deceased prize winner, or to the designated trustee under a revocable living trust established by the deceased prize winner, as settlor, provided that a copy of such trust has been filed with the Department, along with a notarized letter of direction from the settlor, and no written notice of revocation has been received by the Department prior to the settlor's death. Following such a settlor's death and prior to any payment to such a successor or trustee, the Director shall obtain from the trustee and each trust beneficiary a written agreement to indemnify and hold the Department harmless with respect to any claims that may be asserted against the Department

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

arising from payment to, or through the trust.

2)

At the election of the estate or successor trustee, the estate or trustee may have the option to request, within six months from the date of death, that the annuity or equivalent investment securities procured by the Department for purposes of generating annual installment prize payments be liquidated at current market value and paid over to the personal representative of the estate or beneficiary successor trustee, as appropriate. Upon receipt of notice of election to liquidate the remaining prize, if the prize payment has been structured through purchase of an annuity, and the annuity contract permits early liquidation, the Department shall promptly notify the annuity company and request that the annuity be liquidated and the commuted (check) value be paid to the personal representative or successor trustee. If the Department has procured investment securities to generate income for satisfaction of future prize installments, the Department, as soon as practicable after such notification, and without jeopardy to the common investment position of securities purchased in connection with payment of future installments to other winners of Grand Prizes from the same drawing date as decedent, shall offer such securities for market sale and shall pay the personal representative or successor trustee the proceeds of sales attributable to decedent's prize. Prior to such distribution, the Department shall deduct from the proceeds of sales such sum as may be required to absorb from the share of the party requesting liquidation, any penalties of or losses incidental to sale, and to restore the investment position of securities purchased with respect to any other same-date winners to the position held prior to liquidation. The balance of the proceeds of sale attributable to decedent's prize shall be distributed. Prior to authorizing accelerated liquidation of any prize, the Department shall obtain from each personal representative or successor trustee requesting such liquidation a complete release of any further liability of the Department for further payments with respect to the decedent's prize upon liquidation as provided herein, and the Department in liquidating the investment vehicle for any such prize shall be discharged of any further liability with respect to such prize beyond the amount actually realized through liquidation. Any election pursuant to this subsection must be in writing and shall be irrevocable.

4-11

Cash prizes must be claimed within a claim period set by Departmental directive and the game rules establishing claim periods for the respective games offered by the Department. Unclaimed prize money shall be retained by the Director for the person entitled thereto, for the claim period after the date of the drawing in which the prize is won, as established by game rule. Thereafter, said unclaimed prize funds will be managed as provided in statute.

4-11

Winning tickets which provide entry into a Preliminary Grand Prize

NOTICE OF CORRECTIONS TO PROPOSED AMENDMENTS

drawing for any instant game must be filed with the Department by the deadline established in the game rules. Entry tickets filed after the Preliminary Grand Prize qualification drawing for the game with respect to which the tickets were sold will be entered into the Preliminary Grand Prize Drawing pool for the next game drawing subsequent to filing of such tickets, provided that no such ticket will be eligible for entry into a subsequent drawing unless filed with the Department, within 120 days of the announced end of the game for which the ticket was originally sold, provided, however, that the Director may establish lesser claim periods for specific games by directive and game rule.

k)

For prizes in excess of \$10,000, a winner must identify his or her place of employment, if any, to ensure the winner is not prohibited from lottery play by the Act or these rules. For partnership claims, each partner must furnish employment information.

l)

In order to assure players that prizes are awarded, thereby maintaining public trust in the Lottery, the Director may require that prize winners participate in a press conference and/or grant permission to the Lottery to use their name and likeness in advertising or public relations materials, as a condition to receiving the prize.

m)

The net revenues accruing from the sale of lottery tickets shall be determined by deducting from total revenues the payments of prizes to holders of winning tickets and payment of costs incurred in the operation and administration of the Department. The Department may transfer income in excess of current operating needs to the Common School Fund.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

FILING PROHIBITION

OFFICE OF THE STATE FIRE MARSHAL

Heading of Part: Fire Prevention and Safety

Code Citation: 41 Ill Adm Code 100

Section Numbers: 100.7

Date Originally Published in the Illinois Register:

10/16/92
16 Ill Reg 15681

At its meeting on May 11, 1993, the Joint Committee on Administrative Rules voted to prohibit filing of the above proposed rulemaking with the Secretary of State. The Committee found that the adoption of these rules would constitute a serious threat to the public interest and welfare. The reason for the prohibition is as follows:

The rulemaking incorporates by reference material from a non-governmental association that is in direct conflict with Illinois statute. The effect of the incorporation would be a serious threat to the public interest, because the rulemaking requires stricter standards for facilities used as day care centers, day care homes and group day care homes than are authorized by the Child Care Act and by DCFS rules. In addition to violating State statute, these duplicative and inconsistent regulations will result in overburdensome regulation of newly licensed child care facilities and will increase the existing problem of a shortage of day care.

The proposed rules may not be filed with the Secretary of State or enforced by the Fire Marshal for any reason for 180 days following receipt of this certification and statement by the Secretary of State.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION
TO PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

Heading of Part: Design and Operation of Facilities

Code Citation: 35 Ill Adm Code 1422

Section Numbers: 1422.122

Date Originally Published in the Illinois Register:

12/28/92
16 Ill Reg 20002

At its meeting on May 11, 1993, the Joint Committee on Administrative Rules objected to the above cited rulemaking entitled Design and Operation of Facilities (35 Ill Adm Code 1422) concerning potentially infectious medical waste because Section 1422.122(a)(1) is inconsistent with language in the rulemaking in Sections 1422.124 and 1422.125, resulting in a conflict for facilities attempting to legally eliminate the infectious potential in medical waste.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed to be a refusal to respond under the Administrative Procedure Act and shall constitute withdrawal of this proposed rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
EMERGENCY RULEMAKING

ILLINOIS RACING BOARD

Heading of Part: Rules of Practice

Code Citation: 11 Ill Adm Code 205

Date Originally Published in the Illinois Register:

5/7/93
17 Ill Reg 6859

At its meeting on May 11, 1993, the Joint Committee on Administrative Rules objected to the emergency rules of the Illinois Racing Board entitled Rules of Practice (11 Ill Adm Code 205) because any emergency situation which exists has been created by the Board's failure to act in a timely fashion to adopt permanent rules pursuant to Section 5-40 of the IAPA. The court decision that prompted this rulemaking was issued in September 1992, allowing the Board sufficient opportunity to establish these hearing rules through regular rulemaking and thereby allowing the affected parties input into the rules that will govern the 1994 racing date hearings.

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 12, 1993 through May 18, 1993, and have been scheduled for review by the Committee at its June 15, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

| Second Notice Expires | Agency and Rule | Start of First Notice | JCAR Meeting |
|-----------------------|--|------------------------------|--------------|
| 6/25/93 | Department of Central Management Services, Local Government Health Plan (80 Ill Adm Code 2160) | 3/19/93 17 Ill Reg 3577 | 6/15/93 |
| 6/28/93 | Illinois Racing Board, Admissions and Credentials (11 Ill Adm Code 1428) | 3/19/93 17 Ill Reg 3593 | 6/15/93 |
| 6/30/93 | Illinois Racing Board, Rules of Evidence (11 Ill Adm Code 205) | 3/19/93 17 Ill Reg 3594 | 6/15/93 |
| 6/30/93 | Department of Public Health, Baccalaureate Assistance for Registered Nurses (77 Ill Adm Code 595) | 11/20/92 16 Ill Reg 17477 | 6/15/93 |
| 6/30/93 | Department of Public Health, Nursing Education Scholarships (77 Ill Adm Code 597) | 11/20/92 16 Ill Reg 17529 | 6/15/93 |
| 7/1/93 | Illinois Student Assistance Commission, Minority Teachers of Illinois (MTI) Scholarship Aid Program (23 Ill Adm Code 2763) | 2/5/93 17 Ill Reg 1459 | 6/15/93 |
| 7/1/93 | Illinois Student Assistance Commission, Student to Student (STS) Program of Matching Grants (23 Ill Adm Code 2770) | 2/5/93 17 Ill Reg 1505 | 6/15/93 |

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED
(Page 2)

| | | | |
|--------|---|------------------------------|---------|
| 7/1/93 | <u>Illinois Student Assistance Commission, General Provisions (23 Ill Adm Code 2700)</u> | 2/5/93 17 Ill Reg 1385 | 6/15/93 |
| 7/1/93 | <u>Illinois Student Assistance Commission, Illinois National Guard Grant (23 Ill Adm Code 2730)</u> | 2/5/93 17 Ill Reg 1437 | 6/15/93 |
| 7/1/93 | <u>Illinois Student Assistance Commission, Correctional Officer's Grant Program (23 Ill Adm Code 2731)</u> | 2/5/93 17 Ill Reg 1381 | 6/15/93 |
| 7/1/93 | <u>Illinois Student Assistance Commission, State Scholar Program (23 Ill Adm Code 2760)</u> | 2/5/93 17 Ill Reg 1497 | 6/15/93 |
| 7/1/93 | <u>Illinois Student Assistance Commission, Illinois Veteran Grant (IVG) Program (23 Ill Adm Code 2733)</u> | 2/5/93 17 Ill Reg 1444 | 6/15/93 |
| 7/1/93 | <u>Illinois Student Assistance Commission, Police Officer/Fire Officer Grant Program (23 Ill Adm Code 2732)</u> | 2/5/93 17 Ill Reg 1493 | 6/15/93 |
| 7/1/93 | <u>Illinois Student Assistance Commission, Merit Recognition Scholarship (MRS) Program (23 Ill Adm Code 2761)</u> | 2/5/93 17 Ill Reg 1453 | 6/15/93 |
| 7/1/93 | <u>Department of Employment Security, Claimant's Reason For Separation From Work (56 Ill Adm Code 2840)</u> | 1/29/93 17 Ill Reg 886 | 6/15/93 |

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS

RULES PROMULGATED BY STATE AGENCIES THAT MAY IMPACT SMALL BUSINESS

Name Of Agency: Financial Institutions, Department of

Heading of the Part: Schedules of Maximum Rates to be Charged for Check Cashing & Writing of Money Orders by Community & Ambulatory Currency Exchanges

Code Citation: 38 Ill. Adm. Code 130

Sections Involved: 130.10
130.30
130.60

Notice of Proposal Published in Illinois Register:
May 14, 1993, 17 Ill. Reg. 6929

Statutory Authority: Currency Exchange Act (Ill. Rev. Stat. 1991, ch. 17, pars. 4801.1 et seq.) [205 ILCS 405/.1 et seq.]

Information concerning this Regulatory Flexibility Impact Analysis shall be directed to:

Name: Linda D. Brand
Address: Department of Commerce and Community Affairs
620 E. Adams, Springfield, IL 62701
Telephone: (217) 785-6354

Other pertinent information regarding these rules:

DEPARTMENT OF CONSERVATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Department Formal Hearings Conducted for Rulemaking and Contested Cases
- 2) Code Citation: 17 Ill. Adm. Code 2530
- 3) Sections: Authority Note; 2530.20
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Converstions: | |
|----------------------------|-----------------------------|-----------------------------|
| | Existing Cite | New Cite |
| Authority Note | Par. 1001 | Par. 1001-1 |
| 2530.20 | Sec. 9 Par. 1005-150 | Sec. 5-150 Par. 1005-150 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF CONSERVATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Non-Departmental Archaeological Research on Department of Conservation Managed Lands
- 2) Code Citation: 17 Ill. Adm. Code 390
- 3) Sections: Authority Note
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Converstions: | |
|----------------------------|--|--|
| | Existing Cite | New Cite |
| Authority Note | Sec. 3.09 Sec. 4.01(a)(2) Par. 1003.09 Par. 1004.01(a)(2) | Sec. 1-70 Sec. 5-15(a)(2) Par. 1001-70 Par. 1005-15(a)(2) |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF CONSERVATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: The Protection of Archaeological Resources
- 2) Code Citation: 17 Ill. Adm. Code 370
- 3) Sections: Authority Note
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Conversions: | |
|----------------------------|----------------------------|--------------|
| | Existing Cite | New Cite |
| Authority Note | Sec. 3.09 | Sec. 1-70 |
| | Sec. 4.10 | Sec. 5-15 |
| | Par. 1003.09 | Par. 1001-70 |
| | Par. 1004.01 | Par. 1005-15 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

DEPARTMENT OF CONSERVATION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 825
- 3) Sections: Authority Note; 825.110; 825.120
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Conversions: | |
|----------------------------|----------------------------|--------------|
| | Existing Cite | New Cite |
| Authority Note | Sec. 4.01 | Sec. 5-15 |
| | Par. 1004.01 | Par. 1005-15 |
| | Par. 1001 | Par. 1001-1 |
| | Sec. 3.09 | Sec. 1-70 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

BOARD OF ETHICS

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Freedom of Information
- 2) Code Citation: 2 Ill Adm Code 1601
- 3) Sections: Authority Note
1601.10
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Conversions: | |
|----------------------------|----------------------------|--------------|
| | Existing Cite | New Cite |
| Authority Note | Sec. 4.01 | Sec. 5-15 |
| | Par. 1004.01 | Par. 1005-15 |
| 1601.10 | Sec. 4.01 | Sec. 5-15 |
| | Par. 1004.01 | Par. 1005-15 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

BOARD OF ETHICS

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill Adm Code 1600
- 3) Sections: Authority Note
1600.100
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Conversions: | |
|----------------------------|----------------------------|--------------|
| | Existing Cite | New Cite |
| Authority Note | Sec. 4.01 | Sec. 5-15 |
| | Par. 1004.01 | Par. 1005-15 |
| 1600.100 | Par. 1001 | Par. 1001-1 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

LIQUOR CONTROL COMMISSION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: The Illinois Liquor Control Commission
- 2) Code Citation: 11 Ill Adm Code 100
- 3) Sections: 100.350
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Conversions: | |
|----------------------------|----------------------------|--------------|
| | Existing Cite | New Cite |
| 100.350 | Sec. 4 | Sec. 10-25 |
| | Par. 1004 | Par. 1010-25 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

LIQUOR CONTROL COMMISSION

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill Adm Code 2075
- 3) Sections: Authority Note
2075.100
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| Section/ Subsection No. | IAPA Citation Conversions: | |
|----------------------------|----------------------------|--------------|
| | Existing Cite | New Cite |
| Authority Note | Sec. 4.01 | Sec. 5-15 |
| | Par. 1004.01 | Par. 1005-15 |
| 2075.100 | Par. 1001 | Par. 1001-1 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

NATURE PRESERVES COMMISSION

NOTICE PURSUANT TO P.A. 87-823

1) Heading of Part: Public Information, Rulemaking and Organization2) Code Citation: 2 Ill Adm Code 21503) Sections: Authority Note

4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100/1-1 et seq.], as amended pursuant to P.A. 87-823, effective July 1, 1992, requires each Agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Department, Office of Secretary of State, by July 1, 1993.

5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

| <u>Section/ Subsection No.</u> | <u>IAPA Citation Conversions:</u> | |
|------------------------------------|-----------------------------------|-----------------|
| | <u>Existing Cite</u> | <u>New Cite</u> |
| Authority Note | Sec. 4.01 | Sec. 5-15 |
| | Par. 1004.01 | Par. 1005-15 |

These changes have been made to the rules on file with the Administrative Code Division of the Index Department, Office of the Secretary of State. These changes do not affect the validity of the rules nor the date on which they became effective.

PROCLAMATION

93-127

RETIRED TEACHERS WEEK

Whereas, there are more than 58,000 Illinois retired educators who have dedicated many years of their lives to public education; and

Whereas, these retired teachers have tirelessly and selflessly taken the noble trust of educating and training our children; and

Whereas, in retirement, these educators continue to be a major source of insight and direction to our state and nation; and

Whereas, the valuable knowledge and experience retired teachers have assembled over a lifetime continue to be transmitted through volunteer service; and

Whereas, it is fitting that a day be set aside for citizens to express their appreciation for the outstanding service provided by retired educators of Illinois

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 23-29, 1993, as RETIRED TEACHERS WEEK in Illinois in appreciation of their years of dedicated effort.

Issued by the Governor May 4, 1993.

Filed with the Secretary of State May 13, 1993.

ATTORNEY GENERAL
4 Ill. Adm. Code 125
Americans With Disabilities Act Grievance Procedure (P-2283/92; A-1811)

AUDITOR GENERAL
4 Ill. Adm. Code 1125
Americans With Disabilities Act Grievance Procedure (P-4523)

BANKS AND TRUST COMPANIES, COMMISSIONER OF
4 Ill. Adm. Code 375
Americans With Disabilities Act Grievance Procedure (A-15976/92; CC-1673)

CAPITAL DEVELOPMENT BOARD
4 Ill. Adm. Code 725
Americans With Disabilities Act Grievance Procedure (A-11432/92; CC-1673)
71 Ill. Adm. Code 500
Asbestos Abatement Authority Act Procedures (P-3917)

CARNIVAL-AMUSEMENT SAFETY BOARD
56 Ill. Adm. Code 6000
Carnival & Amusement Ride Inspection Law (P-3922)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF
44 Ill. Adm. Code 5000
Acquisition, Management & Disposal of Real Property (P-11378/92; A-1006)
(P-2105) (E-2361)

80 Ill. Adm. Code 303
Conditions of Employment (P-19285/92; A-5587)
80 Ill. Adm. Code 2160
Local Government Health Plan (P-3577)
80 Ill. Adm. Code 302
Merit & Fitness (P-17187/92; A-3169)
80 Ill. Adm. Code 310
Pay Plan (P-191; C-672) (P-13679/92; A-238) (PP-498) (P-13179/92; A-590)
(P-14001/92; A-1819) (P-18139/92; A-6441) (P-7605)
80 Ill. Adm. Code 2650
Solicitation for Charitable Payroll Deductions (P-2449)
44 Ill. Adm. Code 1
Standard Procurement (P-12808/92; A-600) (P-3926)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF
89 Ill. Adm. Code 304
Access to & Eligibility for Child Welfare Services (P-7545/92; A-251)
89 Ill. Adm. Code 336
Appeal of Child Abuse & Neglect Investigation Findings (P-7963/92; A-1026)
89 Ill. Adm. Code 434
Audits, Reviews & Investigations (P-7115)
89 Ill. Adm. Code 330
Child Custody Investigations & Supervision Related to Custodian or Visitation Judgements (P-1259)

89 Ill. Adm. Code 377
Facilities & Programs Exempt from Licensure (P-7553/92; A-259)
89 Ill. Adm. Code 402
Licensing Standards for Foster Family Homes (P-11707/92; A-267)
89 Ill. Adm. Code 378
Multiple Licensure (PR-7561/92; AR-272)
89 Ill. Adm. Code 335
Relative Home Placement (P-6681)
89 Ill. Adm. Code 309
Review & Appeal Process (PR-7982/92; AR-1044)
89 Ill. Adm. Code 337
Service Appeal Process (P-7999/92; A-1046)
89 Ill. Adm. Code 302
Services Delivered by the Department (P-7565/92; A-274) (P-2460) (E-2513)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF
4 Ill. Adm. Code 575
Americans With Disabilities Act Grievance Procedure (A-14621/92; CC-1673)
47 Ill. Adm. Code 125
Emergency Community Services Homeless Grant Program (P-18879/92; A-6180)
14 Ill. Adm. Code 520
Enterprise Zone Program (P-13691/92; A-1837)
47 Ill. Adm. Code 100
Low Income Home Energy Assistance Program (P-16707/92 A-3836)
56 Ill. Adm. Code 2600
Service Delivery System & State Responsibilities (P-7120/92; A-6483)
1 Ill. Adm. Code 300
Small Business Impact Analysis Procedures (P-11391/92; A-1511)
47 Ill. Adm. Code 130
State Administration of the Ill. Neighborhood Corps Program (PR-1; A-7212)

| ACTION CODES | |
|--|--|
| A - Adopted Rule | P - Proposed Rule |
| AR - Adopted Repealer | PF - Prohibited Filing Order by JCAR* |
| C - Notice of Corrections | PP - Peremptory or Court Ordered Rules |
| CC - Codification Changes | PR - Proposed Repealer |
| E - Emergency Rule | R - Refusal to meet JCAR Objection |
| ER - Emergency Repealer | RC - Statement of Recommendation |
| M - Modification to meet JCAR objections | S - Suspension ordered by JCAR |
| O - JCAR Statement of Objections | W - Withdrawal to meet JCAR Objections |
| RQ - Request for Correction | |
| EC - Expedited Corrections | |

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL
4 Ill. Adm. Code 1000
Americans With Disabilities Act Grievance Procedure (A-20092/92; CC-1673)

AGING, DEPARTMENT ON
89 Ill. Adm. Code 240
Community Care Program (P-12251/92; A-224) (P-15203/92; A-6090)
89 Ill. Adm. Code 220
General Programmatic Requirements (P-883) (E-1179)

AGRICULTURE, DEPARTMENT OF
4 Ill. Adm. Code 550
Americans With Disabilities Act Grievance Procedure (A-11744/92; CC-1673)
8 Ill. Adm. Code 65
Egg & Egg Products Act (P-527; A-6749)
8 Ill. Adm. Code 115
III. Pseudorabies Control Act (E-5906) (P-6373)
8 Ill. Adm. Code 256
Lawncare Wash Water & Rinsate Collection (P-14975/92; A-2189)
8 Ill. Adm. Code 125
Meat & Poultry Inspection Act (PP-2063)
8 Ill. Adm. Code 750
Sustainable Agriculture (P-1251; A-6965)
8 Ill. Adm. Code 105
Swine Disease Control & Eradication Act (E-5910) (P-6377)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF
4 Ill. Adm. Code 500
Americans With Disabilities Act Grievance Procedure (A-11426/92; CC-1673)

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- 4 III. Adm. Code 400 Americans With Disabilities Act Grievance Procedure (A-12439/92; CC-1673)
- 83 III. Adm. Code 305 Construction of Electric Power & Communication Lines (P-2462)
- 83 III. Adm. Code 756 Dual Party Relay Service (P-14004/92; A-1848)
- 92 III. Adm. Code 1360 Equipment Leases (P-1685)
- 83 III. Adm. Code 590 Minimum Safety Standards for Transportation of Gas & For Gas Pipeline Facilities (P-2466)
- 83 III. Adm. Code 255 Notice Requirements for Change in Rates for Cooling, Electric, Gas, Heating, Telecommunications, Sewer or Water Services (P-13703/92; A-798)
- 83 III. Adm. Code 315 Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies & Electric & Telephone Public Utilities (P-202)
- 83 III. Adm. Code 280 Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-12810/92; A-805) (P-6382)
- 83 III. Adm. Code 735 Procedures Governing the Establishment of Credit, Billing Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Ill. (G.O. #218) (P-6386)
- 83 III. Adm. Code 275 Promotional Practices of Electric & Gas Public Utilities (P-8269/92; A-98; RQ-2075; EC-3902)
- 83 III. Adm. Code 755 Telecommunications Access for the Hearing & Voice Impaired (P-16709/92; A-5594)

COMMUNITY COLLEGE BOARD, ILLINOIS

- 23 III. Adm. Code 1501 Administration of the Ill. Public Community College Act (P-12274/92; A1853) (P-6686)
- 4 III. Adm. Code 1050 Americans With Disabilities Act Grievance Procedure (P-17399/92; A-4185)
- 2 III. Adm. Code 5176 Public Access to Information (CC-6903)
- 2 III. Adm. Code 5175 Public Information, Rulemaking and Organization (CC-6904)

COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS

- 47 III. Adm. Code 700 By-Laws (P-4530)

COMPTROLLER

- 4 III. Adm. Code 775 Americans with Disabilities Act Grievance Procedure (P-13710/92; A-6499)

CONSERVATION, DEPARTMENT OF

- 17 III. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-7138)
- 17 III. Adm. Code 830 Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177)
- 17 III. Adm. Code 950 Dog Training on Department-Owned or -Managed Sites (P-6390)
- 17 III. Adm. Code 730 Dove Hunting (P-4539)
- 17 III. Adm. Code 590 Duck, Goose & Coot Hunting (E-1658) (4554)
- 17 III. Adm. Code 510 General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601)
- 17 III. Adm. Code 1050 Ill. List of Endangered & Threatened Flora (P-4608)
- 17 III. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611)
- 17 III. Adm. Code 220 North Point Marina (P-19993/92; A-6760)

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- 17 III. Adm. Code 810 Sport Fishing Regulations for the Waters of Ill. (P-17414/92; A-3853; E-5915) (P-4636)
- 17 III. Adm. Code 690 Squirrel Hunting (P-4672)
- 17 III. Adm. Code 720 Taking of Wild Turkeys-Fall Archery Season, The (P-15260/92; A-281) (P-4680)
- 17 III. Adm. Code 715 Taking of Wild Turkeys-Fall Gun Season (P-4689)
- 17 III. Adm. Code 710 Taking of Wild Turkeys-Spring Season, The (P-18181/92; A-3184)
- 17 III. Adm. Code 670 White-Tailed Deer Hunting by Use of Bow and Arrow (P-15265/92; A-286) (P-4698)
- 17 III. Adm. Code 650 White-Tailed Deer Hunting by Use of Firearms (P-4718)
- 17 III. Adm. Code 660 White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-4742)
- 17 III. Adm. Code 740 Woodchuck, Snipe, Rail & Teal Hunting (P-4757)

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- 20 III. Adm. Code 440 Advocacy Services (PR-16371/92; AR-1519)
- 4 III. Adm. Code 475 American With Disabilities Act Grievance Procedure (A-10423/92; CC-1673)
- 20 III. Adm. Code 525 Rights & Privileges (PP-1666) (PP-8069)
- 20 III. Adm. Code 502 Safety, Maintenance & Sanitation (P-6394)

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- 4 III. Adm. Code 150 Americans With Disabilities Act Grievance Procedure (P-1263)

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- 14 III. Adm. Code 1230 Employee Ownership Assistance Program (P-9222/92; A-1859)

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- 23 III. Adm. Code 2310 Functions & Planning Program (P-1691)

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- 23 III. Adm. Code 1 Public Schools Evaluation, Recognition & Supervision (P-8684/92; A-18010/92; EC-3553)
- 23 III. Adm. Code 228 Transitional Bilingual Education (P-9253/92; A-104)

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- 56 III. Adm. Code 2865 Claimant's Availability For Work, Ability To Work & Active Search For Work (P-6907)
- 56 III. Adm. Code 2840 Claimant's Reason For Separation From Work (P-886)
- 56 III. Adm. Code 2720 Claims, Adjudication, Appeals & Hearings (P-6919)
- 56 III. Adm. Code 2770 Determination of Unemployment Contributions (P-15625/92; A-295)
- 56 III. Adm. Code 2732 Employment (P-211) (P-5985)
- 56 III. Adm. Code 2712 General Application (P-17853/92; A-3194)
- 56 III. Adm. Code 2765 Payment of Unemployment Contributions, Interest & Penalties (P-12006/92; A-308) (P-15638/92; A-614) (P-2523)

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- 35 III. Adm. Code 254 Annual Emissions Report (P-17195/92; A-7782)

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| 8 Ill. Adm. Code 1400 | Ill. Farm Development Authority (P-8297/92; A-3618) (P-3956) | |
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| 38 Ill. Adm. Code 180 | Uniform Disposition of Unclaimed Property Act (P-14006/92; A-123) (P-5990) E-6321) | |
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| 41 Ill. Adm. Code 280 | Fire Equipment Administrative Procedures (P-15665/92; A-7214 | |
| 41 Ill. Adm. Code 100 | Fire Prevention & Safety (P-15681/92; PF-8083) | |
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| 4 Ill. Adm. Code 700 | Americans with Disabilities Act Grievance Procedure (P-15684/92; A-6507) | |
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| 4 Ill. Adm. Code 225 | Americans With Disabilities Grievance Procedure (P-7749/92; A-2945) | |
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TYPE OF RULEMAKING ACTION CODES

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = reclassified
= renumbered

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C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for Correction

PF = Prohibited filing
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R = Refusal to Modify
F = Failure to Remedy Objections Objection
RC = Recommendation
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| 205.250 | n | (P-3594) (E-6859; O-8085) | 205.520 | n | (P-3594) (E-6859; O-8085) | | |
| 205.260 | n | (P-3594) (E-6859; O-8085) | 205.530 | n | (P-3594) (E-6859; O-8085) | | |
| 205.270 | n | (P-3594) (E-6859; O-8085) | 205.540 | n | (P-3594) (E-6859; O-8085) | | |
| 205.280 | n | (P-3594) (E-6859; O-8085) | 205.550 | n | (P-3594) (E-6859; O-8085) | | |
| 205.290 | n | (P-3594) (E-6859; O-8085) | 205.560 | n | (P-3594) (E-6859; O-8085) | | |
| 205.300 | n | (P-3594) (E-6859; O-8085) | 205.570 | n | (P-3594) (E-6859; O-8085) | | |
| 205.310 | n | (P-3594) (E-6859; O-8085) | 205.580 | n | (P-3594) (E-6859; O-8085) | | |
| 205.320 | n | (P-3594) (E-6859; O-8085) | 205.590 | n | (P-3594) (E-6859; O-8085) | | |
| 205.330 | n | (P-3594) (E-6859; O-8085) | 205.600 | n | (P-3594) (E-6859; O-8085) | | |

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| 150.470 | am | (P-4167) | 570.40 am (P-4611) |
| 150.510 | am | (P-4167) | 590.10 am (E-1658) (P-4554) |
| 150.520 | am | (P-4167) | 590.20 am (P-4554) |
| 150.620 | am | (P-4167) | 590.25 am (P-4554) |
| 150.621 | am | (P-4167) | 590.26 am (P-4554) |
| 150.700 | am | (P-4167) | 590.30 am (P-4554) |
| 150.705 | am | (P-4167) | 590.40 am (P-4554) |
| 150.710 | am | (P-4167) | 590.50 am (P-4554) |
| 150.720 | am | (P-4167) | 590.60 am (P-4554) |
| 170.20 | am | (P-13784/92; A-427) | 590.70 am (P-4554) |
| 520.920 | am | (P-13691/92; A-1837) | 650.20 am (P-4718) |
| 520.930 | am | (P-13691/92; A-1837) | 650.21 am (P-4718) |
| 520.1020 | am | (P-13691/92; A-1837) | 650.22 am (P-4718) |
| 520.1030 | am | (P-13691/92; A-1837) | 650.30 am (P-4718) |
| 1230.100 | n | (P-9222/92; A-1859) | 650.40 am (P-4718) |
| 1230.110 | n | (P-9222/92; A-1859) | 650.50 am (P-4718) |
| 1230.200 | n | (P-9222/92; A-1859) | 650.60 am (P-4718) |
| 1230.210 | n | (P-9222/92; A-1859) | 650.65 n (P-4718) |
| 1230.300 | n | (P-9222/92; A-1859) | 660.20 am (P-4742) |
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| 1230.400 | n | (P-9222/92; A-1859) | 660.30 am (P-4742) |
| 1230.500 | n | (P-9222/92; A-1859) | 660.40 am (P-4742) |
| 1230.510 | n | (P-9222/92; A-1859) | 660.45 am (P-4742) |
| 1230.520 | n | (P-9222/92; A-1859) | 660.50 am (P-4742) |
| 1230.530 | n | (P-9222/92; A-1859) | 660.60 am (P-4742) |
| 1230.540 | n | (P-9222/92; A-1859) | 670.10 am (P-15265/92; A-286) |
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| 530.110 | am | (P-7138) | 715.20 am (P-4689) |
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| | (P-4636) (E-5915) | 1501.302 am | (P-6686) |
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| 810.70 am | (P-17414/92; A-3853) | 1501.406 am | (P-6686) |
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| 211.2570 n | (P-4782) | 211.3570 n | (P-4782) | 211.4570 n | (P-4782) | 211.5650 n | (P-4782) |
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| 211.2830 n | (P-4782) | 211.3790 n | (P-4782) | 211.4790 n | (P-4782) | 211.5870 n | (P-4782) |
| 211.2850 n | (P-4782) | 211.3810 n | (P-4782) | 211.4810 n | (P-4782) | 211.5890 n | (P-4782) |
| 211.2870 n | (P-4782) | 211.3830 n | (P-4782) | 211.4830 n | (P-4782) | 211.5910 n | (P-4782) |
| 211.2890 n | (P-4782) | 211.3850 n | (P-4782) | 211.4850 n | (P-4782) | 211.5930 n | (P-4782) |
| 211.2910 n | (P-4782) | 211.3870 n | (P-4782) | 211.4870 n | (P-4782) | 211.5950 n | (P-4782) |
| 211.2930 n | (P-4782) | 211.3890 n | (P-4782) | 211.4890 n | (P-4782) | 211.5970 n | (P-4782) |
| 211.2950 n | (P-4782) | 211.3910 n | (P-4782) | 211.4910 n | (P-4782) | 211.5990 n | (P-4782) |
| 211.2970 n | (P-4782) | 211.3930 n | (P-4782) | 211.4930 n | (P-4782) | 211.6010 n | (P-4782) |
| 211.2990 n | (P-4782) | 211.3950 n | (P-4782) | 211.4950 n | (P-4782) | 211.6030 n | (P-4782) |
| 211.3010 n | (P-4782) | 211.3970 n | (P-4782) | 211.4970 n | (P-4782) | 211.6050 n | (P-4782) |
| 211.3030 n | (P-4782) | 211.3990 n | (P-4782) | 211.5000 n | (P-4782) | 211.6070 n | (P-4782) |
| 211.3050 n | (P-4782) | 211.4010 n | (P-4782) | 211.5050 n | (P-4782) | 211.6090 n | (P-4782) |
| 211.3070 n | (P-4782) | 211.4030 n | (P-4782) | 211.5070 n | (P-4782) | 211.6130 n | (P-4782) |
| 211.3090 n | (P-4782) | 211.4050 n | (P-4782) | 211.5090 n | (P-4782) | 211.6150 n | (P-4782) |
| 211.3110 n | (P-4782) | 211.4070 n | (P-4782) | 211.5110 n | (P-4782) | 211.6190 n | (P-4782) |
| 211.3130 n | (P-4782) | 211.4090 n | (P-4782) | 211.5130 n | (P-4782) | 211.6210 n | (P-4782) |
| 211.3150 n | (P-4782) | 211.4110 n | (P-4782) | 211.5150 n | (P-4782) | 211.6230 n | (P-4782) |
| 211.3170 n | (P-4782) | 211.4130 n | (P-4782) | 211.5170 n | (P-4782) | 211.6250 n | (P-4782) |
| 211.3190 n | (P-4782) | 211.4150 n | (P-4782) | 211.5190 n | (P-4782) | 211.6270 n | (P-4782) |
| 211.3210 n | (P-4782) | 211.4170 n | (P-4782) | 211.5210 n | (P-4782) | 211.6290 n | (P-4782) |
| 211.3230 n | (P-4782) | 211.4190 n | (P-4782) | 211.5230 n | (P-4782) | 211.6310 n | (P-4782) |
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| | | 211.4230 n | (P-4782) | 211.5270 n | (P-4782) | 211.6350 n | (P-4782) |
| | | 211.4250 n | (P-4782) | 211.5290 n | (P-4782) | 211.6370 n | (P-4782) |
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| 211.6950 n | (P-4782) | am | 218.562 am | (P-4905) | 218.963 am |
| 211.6970 n | (P-4782) | am | 218.581 am | (P-4905) | 218.966 am |
| 211.6990 n | (P-4782) | am | 218.582 am | (P-4905) | 218.967 am |
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| 211.7030 n | (P-4782) | am | 218.584 am | (P-4905) | 218.980 am |
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| 211.7090 n | (P-4782) | am | 218.601 am | (P-4905) | 218.987 am |
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| 858.207 | am | (P-4621/92; A-4190) | 400.620 | re | (A-4464) |
| 876. | n | (E-16191/92; O-18856/92; RC-18857/92; N-2438) | 400.640 | re | (A-4464) |
| 1422.122 | n | (P-20002/92; O-8084) | 400.650 | re | (A-4464) |
| | | | 400.665 | re | (A-4464) |
| | | | 400.670 | re | (A-4464) |
| | | | 400.675 | re | (A-4464) |
| | | | 400.680 | re | (A-4464) |
| | | | 400.690 | re | (A-4464) |
| | | | 400.700 | re | (A-4464) |
| | | | 400.710 | re | (A-4464) |
| | | | 400.720 | re | (A-4464) |
| | | | 400.810 | re | (A-4464) |
| | | | 400.910 | re | (A-4464) |
| | | | 400.1010 | re | (A-4464) |
| | | | 400.1020 | re | (A-4464) |
| | | | 400.1030 | re | (A-4464) |
| | | | 400.1040 | re | (A-4464) |
| | | | 400.1050 | re | (A-4464) |
| | | | 400.1060 | re | (A-4464) |
| | | | 400.1070 | re | (A-4464) |
| | | | 400.1080 | re | (A-4464) |
| | | | 400.1090 | re | (A-4464) |

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| 400.1110 re | (A-4464) | 400.1750 re | (A-4464) | 400.2500 re | (A-4464) | 450.425 n | (P-17570/92; A-3513) |
| 400.1120 re | (A-4464) | 400.1760 re | (A-4464) | 400.2510 re | (A-4464) | 450.425 re | (A-4475) |
| 400.1130 re | (A-4464) | 400.1770 re | (A-4464) | 400.2520 re | (A-4464) | 450.430 re | (A-4475) |
| 400.1140 re | (A-4464) | 400.1780 re | (A-4464) | 400.2530 re | (A-4464) | 450.440 re | (A-4475) |
| 400.1150 re | (A-4464) | 400.1790 re | (A-4464) | 400.2540 re | (A-4464) | 450.450 re | (A-4475) |
| 400.1160 re | (A-4464) | 400.1800 re | (A-4464) | 400.2550 re | (A-4464) | 450.460 re | (A-4475) |
| 400.1170 re | (A-4464) | 400.1810 re | (A-4464) | 400.2700 re | (A-4464) | 450.470 re | (A-4475) |
| 400.1180 re | (A-4464) | 400.1905 re | (A-4464) | 400.2710 re | (A-4464) | 450.475 re | (A-4475) |
| 400.1190 re | (A-4464) | 400.1910 re | (A-4464) | 450.110 re | (A-4475) | 450.480 re | (A-4475) |
| 400.1200 re | (A-4464) | 400.1915 re | (A-4464) | 450.115 re | (A-4475) | 450.490 re | (A-4475) |
| 400.1210 re | (A-4464) | 400.1920 re | (A-4464) | 450.120 re | (A-4475) | 450.610 re | (A-4475) |
| 400.1220 re | (A-4464) | 400.1925 re | (A-4464) | 450.125 re | (A-4475) | 450.620 re | (A-4475) |
| 400.1310 re | (A-4464) | 400.1930 re | (A-4464) | 450.130 re | (A-4475) | 450.630 re | (A-4475) |
| 400.1320 re | (A-4464) | 400.1935 re | (A-4464) | 450.135 n | (P-17570/92; A-3513) | 450.640 re | (A-4475) |
| 400.1330 re | (A-4464) | 400.1940 re | (A-4464) | 450.135 re | (A-4475) | 450.650 re | (A-4475) |
| 400.1340 re | (A-4464) | 400.1945 re | (A-4464) | 450.140 re | (A-4475) | 450.660 re | (A-4475) |
| 400.1410 re | (A-4464) | 400.1950 re | (A-4464) | 450.145 n | (P-17570/92; A-3513) | 450.710 re | (A-4475) |
| 400.1420 re | (A-4464) | 400.1955 re | (A-4464) | 450.145 re | (A-4475) | 450.720 re | (A-4475) |
| 400.1430 re | (A-4464) | 400.1970 re | (A-4464) | 450.150 re | (A-4475) | 450.730 re | (A-4475) |
| 400.1440 re | (A-4464) | 400.1972 re | (A-4464) | 450.160 n | (P-17570/92; A-3513) | 450.740 re | (A-4475) |
| 400.1450 re | (A-4464) | 400.1975 re | (A-4464) | 450.160 re | (A-4475) | 450.750 re | (A-4475) |
| 400.1460 re | (A-4464) | 400.1980 re | (A-4464) | 450.165 n | (P-17570/92; A-3513) | 450.810 re | (A-4475) |
| 400.1470 re | (A-4464) | 400.1982 re | (A-4464) | 450.165 re | (A-4475) | 450.820 re | (A-4475) |
| 400.1480 re | (A-4464) | 400.1985 re | (A-4464) | 450.170 re | (A-4475) | 450.830 re | (A-4475) |
| 400.1510 re | (A-4464) | 400.1990 re | (A-4464) | 450.175 am | (P-17570/92; A-3513) | 450.840 re | (A-4475) |
| 400.1520 re | (A-4464) | 400.1993 re | (A-4464) | 450.175 re | (A-4475) | 450.850 re | (A-4475) |
| 400.1530 re | (A-4464) | 400.1997 re | (A-4464) | 450.185 re | (A-4475) | 450.860 re | (A-4475) |
| 400.1540 re | (A-4464) | 400.2005 re | (A-4464) | 450.210 am | (P-17570/92; A-3513) | 450.910 re | (A-4475) |
| 400.1550 re | (A-4464) | 400.2010 re | (A-4464) | 450.210 re | (A-4475) | 450.920 re | (A-4475) |
| 400.1560 re | (A-4464) | 400.2020 re | (A-4464) | 450.220 am | (P-17570/92; A-3513) | 450.930 re | (A-4475) |
| 400.1570 re | (A-4464) | 400.2030 re | (A-4464) | 450.220 re | (A-4475) | 450.940 re | (P-17570/92; A-3513) |
| 400.1580 re | (A-4464) | 400.2040 re | (A-4464) | 450.230 re | (A-4475) | 450.940 re | (A-4475) |
| 400.1590 re | (A-4464) | 400.2050 re | (A-4464) | 450.240 re | (A-4475) | 450.950 re | (A-4475) |
| 400.1600 re | (A-4464) | 400.2055 re | (A-4464) | 450.250 re | (A-4475) | 450.1010 re | (A-4475) |
| 400.1610 re | (A-4464) | 400.2060 re | (A-4464) | 450.255 re | (A-4475) | 450.1020 am | (P-17570/92; A-3513) |
| 400.1620 re | (A-4464) | 400.2070 re | (A-4464) | 450.260 am | (P-17570/92; A-3513) | 450.1020 re | (A-4475) |
| 400.1630 re | (A-4464) | 400.2105 re | (A-4464) | 450.260 re | (A-4475) | 450.1030 re | (A-4475) |
| 400.1640 re | (A-4464) | 400.2110 re | (A-4464) | 450.270 re | (A-4475) | 450.1110 re | (A-4475) |
| 400.1650 re | (A-4464) | 400.2120 re | (A-4464) | 450.280 re | (A-4475) | 450.1120 re | (A-4475) |
| 400.1660 re | (A-4464) | 400.2200 re | (A-4464) | 450.290 re | (A-4475) | 450.1130 re | (A-4475) |
| 400.1670 re | (A-4464) | 400.2300 re | (A-4464) | 450.310 re | (A-4475) | 450.1140 re | (A-4475) |
| 400.1680 re | (A-4464) | 400.2310 re | (A-4464) | 450.320 re | (A-4475) | 450.1150 re | (A-4475) |
| 400.1690 re | (A-4464) | 400.2320 re | (A-4464) | 450.330 re | (A-4475) | 450.1160 re | (A-4475) |
| 400.1700 re | (A-4464) | 400.2330 re | (A-4464) | 450.340 re | (A-4475) | 450.1170 re | (A-4475) |
| 400.1710 re | (A-4464) | 400.2340 re | (A-4464) | 450.350 re | (A-4475) | 450.1175 re | (A-4475) |
| 400.1720 re | (A-4464) | 400.2400 re | (A-4464) | 450.410 am | (P-17570/92; A-3513) | 450.1210 re | (A-4475) |
| 400.1730 re | (A-4464) | 400.2410 re | (A-4464) | 450.410 re | (A-4475) | 450.1220 re | (A-4475) |
| 400.1740 re | (A-4464) | 400.2420 re | (A-4464) | 450.420 re | (A-4475) | 450.1230 re | (A-4475) |

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| 450.1305 re | (A-4475) | 1000.142 re |
| 450.1310 re | (A-4475) | 1000.143 re |
| 450.1315 re | (A-4475) | 1000.150 re |
| 450.1320 re | (A-4475) | 1000.205 re |
| 450.1325 re | (A-4475) | 1000.210 re |
| 450.1330 re | (A-4475) | 1000.220 re |
| 450.1335 re | (A-4475) | 1000.230 re |
| 450.1335 am | (P-17570/92; A-3513) | 1000.240 re |
| 450.1335 re | (A-4475) | 1000.250 re |
| 450.1340 re | (A-4475) | 1000.260 re |
| 450.1345 re | (A-4475) | 1000.270 re |
| 450.1350 re | (A-4475) | 1000.280 re |
| 450.1355 re | (A-4475) | 1000.290 re |
| 450.1360 re | (A-4475) | 1000.310 re |
| 450.1410 re | (A-4475) | 1000.410 re |
| 450.1420 re | (A-4475) | 1000.420 re |
| 450.1510 re | (A-4475) | 1000.430 re |
| 450.1520 re | (A-4475) | 1000.440 re |
| 450.1530 re | (A-4475) | 1000.510 re |
| 450.1540 re | (A-4475) | 1000.610 re |
| 450.1550 re | (A-4475) | 1000.615 re |
| 450.1560 re | (A-4475) | 1000.620 re |
| 450.1570 re | (A-4475) | 1000.630 re |
| 450.1580 re | (A-4475) | 1000.640 re |
| 450.1590 re | (A-4475) | 1000.650 re |
| 450.1595 re | (A-4475) | 1000.660 re |
| 450.1600 re | (A-4475) | 1000.665 re |
| 450.1610 re | (A-4475) | 1000.670 re |
| 450.1620 re | (A-4475) | 1000.675 re |
| 450.1630 re | (A-4475) | 1000.680 re |
| 450.1640 re | (A-4475) | 1000.690 re |
| 450.1650 re | (A-4475) | 1000.700 re |
| 450.1660 re | (A-4475) | 1000.710 re |
| 450.1670 re | (A-4475) | 1000.720 re |
| 450.1680 re | (A-4475) | 1000.810 re |
| 450.1690 re | (A-4475) | 1000.910 re |
| 450.1700 re | (A-4475) | 1000.1010 re |
| 450.1720 re | (A-4475) | 1000.1020 re |
| 450.1730 re | (A-4475) | 1000.1030 re |
| 450.1740 re | (A-4475) | 1000.1040 re |
| 450.1750 re | (A-4475) | 1000.1050 re |
| 450.1760 re | (A-4475) | 1000.1060 re |
| 450.1770 re | (A-4475) | 1000.1070 re |
| 450.1790 re | (A-4475) | 1000.1080 re |
| 1000.110 re | (A-4464) | 1000.1090 re |
| 1000.120 re | (A-4464) | 1000.1110 re |
| 1000.130 re | (A-4464) | 1000.1120 re |
| 1000.140 re | (A-4464) | 1000.1130 re |

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| 1000.1140 re | (A-4464) | 1000.1770 re |
| 1000.1150 re | (A-4464) | 1000.1780 re |
| 1000.1160 re | (A-4464) | 1000.1790 re |
| 1000.1170 re | (A-4464) | 1000.1810 re |
| 1000.1180 re | (A-4464) | 1000.1905 re |
| 1000.1190 re | (A-4464) | 1000.1910 re |
| 1000.1200 re | (A-4464) | 1000.1915 re |
| 1000.1210 re | (A-4464) | 1000.1920 re |
| 1000.1220 re | (A-4464) | 1000.1925 re |
| 1000.1310 re | (A-4464) | 1000.1930 re |
| 1000.1320 re | (A-4464) | 1000.1935 re |
| 1000.1330 re | (A-4464) | 1000.1940 re |
| 1000.1340 re | (A-4464) | 1000.1945 re |
| 1000.1410 re | (A-4464) | 1000.1950 re |
| 1000.1420 re | (A-4464) | 1000.1955 re |
| 1000.1430 re | (A-4464) | 1000.1970 re |
| 1000.1440 re | (A-4464) | 1000.1972 re |
| 1000.1450 re | (A-4464) | 1000.1975 re |
| 1000.1460 re | (A-4464) | 1000.1980 re |
| 1000.1470 re | (A-4464) | 1000.1982 re |
| 1000.1480 re | (A-4464) | 1000.1985 re |
| 1000.1510 re | (A-4464) | 1000.1990 re |
| 1000.1520 re | (A-4464) | 1000.1993 re |
| 1000.1530 re | (A-4464) | 1000.1997 re |
| 1000.1540 re | (A-4464) | 1000.2005 re |
| 1000.1550 re | (A-4464) | 1000.2010 re |
| 1000.1560 re | (A-4464) | 1000.2020 re |
| 1000.1570 re | (A-4464) | 1000.2030 re |
| 1000.1580 re | (A-4464) | 1000.2040 re |
| 1000.1590 re | (A-4464) | 1000.2050 re |
| 1000.1600 re | (A-4464) | 1000.2055 re |
| 1000.1610 re | (A-4464) | 1000.2060 re |
| 1000.1620 re | (A-4464) | 1000.2070 re |
| 1000.1630 re | (A-4464) | 1000.2105 re |
| 1000.1640 re | (A-4464) | 1000.2110 re |
| 1000.1650 re | (A-4464) | 1000.2120 re |
| 1000.1660 re | (A-4464) | 1000.2200 re |
| 1000.1670 re | (A-4464) | 1000.2300 re |
| 1000.1680 re | (A-4464) | 1000.2310 re |
| 1000.1690 re | (A-4464) | 1000.2320 re |
| 1000.1700 re | (A-4464) | 1000.2330 re |
| 1000.1710 re | (A-4464) | 1000.2340 re |
| 1000.1720 re | (A-4464) | 1000.2400 re |
| 1000.1730 re | (A-4464) | 1000.2410 re |
| 1000.1740 re | (A-4464) | 1000.2420 re |
| 1000.1750 re | (A-4464) | 1000.2500 re |
| 1000.1760 re | (A-4464) | 1000.2510 re |
| 1000.1770 re | (A-4464) | 1000.2520 re |

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| 1000.2540 re | (A-4464) | 1050.650 re | (A-4475) |
| 1000.2550 re | (A-4464) | 1050.660 re | (A-4475) |
| 1000.2700 re | (A-4464) | 1050.710 re | (A-104475) |
| 1000.2710 re | (A-4464) | 1050.720 re | (A-4475) |
| 1050.110 re | (A-4475) | 1050.730 re | (A-4475) |
| 1050.115 re | (A-4475) | 1050.740 re | (A-4475) |
| 1050.120 re | (A-4475) | 1050.750 re | (A-4475) |
| 1050.125 re | (A-4475) | 1050.810 re | (A-4475) |
| 1050.130 re | (A-4475) | 1050.820 re | (A-4475) |
| 1050.135 re | (A-4475) | 1050.830 re | (A-4475) |
| 1050.140 re | (A-4475) | 1050.840 re | (A-4475) |
| 1050.145 re | (A-4475) | 1050.850 re | (A-4475) |
| 1050.150 re | (A-4475) | 1050.860 re | (A-4475) |
| 1050.165 re | (A-4475) | 1050.910 re | (A-4475) |
| 1050.170 re | (A-4475) | 1050.920 re | (A-4475) |
| 1050.175 re | (A-4475) | 1050.930 re | (A-4475) |
| 1050.185 re | (A-4475) | 1050.940 re | (A-4475) |
| 1050.210 re | (A-4475) | 1050.950 re | (A-4475) |
| 1050.220 re | (A-4475) | 1050.1010 re | (A-4475) |
| 1050.230 re | (A-4475) | 1050.1020 re | (A-4475) |
| 1050.240 re | (A-4475) | 1050.1030 re | (A-4475) |
| 1050.250 re | (A-4475) | 1050.1110 re | (A-4475) |
| 1050.255 re | (A-4475) | 1050.1120 re | (A-4475) |
| 1050.260 re | (A-4475) | 1050.1130 re | (A-4475) |
| 1050.270 re | (A-4475) | 1050.1140 re | (A-4475) |
| 1050.280 re | (A-4475) | 1050.1150 re | (A-4475) |
| 1050.290 re | (A-4475) | 1050.1160 re | (A-4475) |
| 1050.310 re | (A-4475) | 1050.1170 re | (A-4475) |
| 1050.320 re | (A-4475) | 1050.1175 re | (A-4475) |
| 1050.330 re | (A-4475) | 1050.1210 re | (A-4475) |
| 1050.340 re | (A-4475) | 1050.1220 re | (A-4475) |
| 1050.350 re | (A-4475) | 1050.1230 re | (A-4475) |
| 1050.410 re | (A-4475) | 1050.1240 re | (A-4475) |
| 1050.420 re | (A-4475) | 1050.1250 re | (A-4475) |
| 1050.425 re | (A-4475) | 1050.1305 re | (A-4475) |
| 1050.430 re | (A-4475) | 1050.1310 re | (A-4475) |
| 1050.440 re | (A-4475) | 1050.1315 re | (A-4475) |
| 1050.450 re | (A-4475) | 1050.1320 re | (A-4475) |
| 1050.460 re | (A-4475) | 1050.1325 re | (A-4475) |
| 1050.470 re | (A-4475) | 1050.1330 re | (A-4475) |
| 1050.480 re | (A-4475) | 1050.1335 re | (A-4475) |
| 1050.490 re | (A-4475) | 1050.1340 re | (A-4475) |
| 1050.610 re | (A-4475) | 1050.1345 re | (A-4475) |
| 1050.620 re | (A-4475) | 1050.1350 re | (A-4475) |
| 1050.630 re | (A-4475) | 1050.1355 re | (A-4475) |
| | | 1050.1360 re | (A-4475) |
| | | 1050.1410 re | (A-4475) |
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| 1050.1530 re | (A-4475) | 1075.1890 n | (P-2727) |
| 1050.1540 re | (A-4475) | 1075.1895 n | (P-2727) |
| 1050.1550 re | (A-4475) | 1075.1900 n | (P-2727) |
| 1050.1560 re | (A-4475) | 1075.1905 n | (P-2727) |
| 1050.1570 re | (A-4475) | 1075.1910 n | (P-2727) |
| 1050.1580 re | (A-4475) | 1075.1915 n | (P-2727) |
| 1050.1590 re | (A-4475) | 1075.1920 n | (P-2727) |
| 1050.1595 re | (A-4475) | 1075.1925 n | (P-2727) |
| 1050.1600 re | (A-4475) | 1075.1930 n | (P-2727) |
| 1050.1610 re | (A-4475) | 1075.1935 n | (P-2727) |
| 1050.1620 re | (A-4475) | 1075.1940 n | (P-2727) |
| 1050.1630 re | (A-4475) | 1075.1945 n | (P-2727) |
| 1050.1640 re | (A-4475) | 1075.1950 n | (P-2727) |
| 1050.1650 re | (A-4475) | 1075.1955 n | (P-2727) |
| 1050.1660 re | (A-4475) | 1075.1960 n | (P-2727) |
| 1050.1670 re | (A-4475) | 1075.1965 n | (P-2727) |
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| 1050.1690 re | (A-4475) | 1075.1975 n | (P-2727) |
| 1050.1700 re | (A-4475) | 1075.1980 n | (P-2727) |
| 1050.1720 re | (A-4475) | 1075.1985 n | (P-2727) |
| 1050.1730 re | (A-4475) | 1075.1990 n | (P-2727) |
| 1050.1740 re | (A-4475) | 1075.1995 n | (P-2727) |
| 1050.1750 re | (A-4475) | 1075.2000 n | (P-2727) |
| 1050.1760 re | (A-4475) | 1075.2005 n | (P-2727) |
| 1050.1770 re | (A-4475) | 1075.2010 n | (P-2727) |
| 1050.1790 re | (A-4475) | 1075.2015 n | (P-2727) |
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| 1075.1800 n | (P-2727) | 1075.2040 n | (P-2727) |
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| 1075.1810 n | (P-2727) | 1075.2050 n | (P-2727) |
| 1075.1815 n | (P-2727) | 1075.2055 n | (P-2727) |
| 1075.1820 n | (P-2727) | 1075.2060 n | (P-2727) |
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| 1075.2130 n | (P-2727) | 280.50 n | (P-15665/92; A-7214) | 100.Ap.A | | 370.203 n | (P-11713/92; A-319) |
| 1075.2135 n | (P-2727) | 280.60 n | (P-15665/92; A-7214) | .II.A am | (P-16707/92; A-3836) | 370.204 n | (P-11713/92; A-319) |
| 1075.2140 n | (P-2727) | 280.65 n | (P-15665/92; A-7214) | .II.B am | (P-16707/92; A-3836) | 370.205 n | (P-11713/92; A-319) |
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| 1075.2150 n | (P-2727) | 280.75 n | (P-15665/92; A-7214) | .II.D am | (P-16707/92; A-3836) | 370.207 n | (P-11713/92; A-319) |
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| 121.115 | n | (P-15715/92; RC-3689; A-4261) | 122.Ap-A | n | (P-15691/92; RC-3688; A-4236) | 1210.120 | r |
| 121.120 | n | (P-15715/92; RC-3689; A-4261) | TITLE 62 | | | 1210.130 | r |
| 121.130 | n | (P-15715/92; RC-3689; A-4261) | 240.131 | n | (P-13722/92; A-2217) | 1210.140 | am |
| 121.135 | n | (P-15715/92; RC-3689; A-4261) | 240.132 | n | (P-13722/92; A-2217) | 1210.150 | am |
| 121.140 | n | (P-15715/92; RC-3689; A-4261) | 240.133 | n | (P-13722/92; A-2217) | 1210.160 | am |
| 121.145 | n | (P-15715/92; RC-3689; A-4261) | 240.160 | am | (P-13722/92; A-2217) | 1210.170 | am |
| 121.Ap-A | n | (P-15715/92; RC-3689; A-4261) | 240.170 | am | (P-13722/92; A-2217) | 1210.180 | am |
| | | | 240.180 | am | (E-1195) | 1210.190 | am |
| 122.10 | n | (P-15691/92; RC-3688; A-4236) | 240.190 | am | (P-3771) | 1220.160 | am |
| 122.15 | n | (P-15691/92; RC-3688; A-4236) | 240.195 | am | (P-3771) | 1220.170 | n |
| 122.20 | n | (P-15691/92; RC-3688; A-4236) | 240.1200 | am | (P-3771) | 1220.260 | am |
| 122.25 | n | (P-15691/92; RC-3688; A-4236) | 240.1205 | n | (P-3771) | 1220.270 | n |
| 122.30 | n | (P-15691/92; RC-3688; A-4236) | 240.1210 | n | (P-3771) | 1220.360 | n |
| 122.31 | n | (P-15691/92; RC-3688; A-4236) | 240.1220 | n | (P-3771) | 1220.435 | r |
| 122.35 | n | (P-15691/92; RC-3688; A-4236) | 240.1230 | n | (P-3771) | 1220.440 | n |
| 122.40 | n | (P-15691/92; RC-3688; A-4236) | 240.1240 | n | (P-3771) | 1220.525 | n |
| 122.45 | n | (P-15691/92; RC-3688; A-4236) | 240.1250 | n | (P-3771) | 1220.Ap.B | am |
| 122.50 | n | (P-15691/92; RC-3688; A-4236) | 240.1260 | n | (P-3771) | 1220.Ap.C | am |
| | | | 240.1270 | n | (P-3771) | 1240.5 | r |
| | | | 240.1280 | n | (P-3771) | 1240.10 | am |
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| | | | 750.3000 | am | (P-15056/92; A-417) | 1240.51 | am |
| | | | 750.3010 | am | (P-15056/92; A-417) | 1300.48 | am |
| | | | 750.3055 | am | (P-15056/92; A-417) | 1320.30 | am |
| | | | 750.4000 | am | (P-15056/92; A-417) | 1320.40 | am |
| | | | 750.4010 | am | (P-15056/92; A-417) | 1320.50 | am |
| | | | 1150.40 | am | (P-17042/92; A-1554) | 1320.70 | am |
| | | | 1210.10 | am | (P-16374/92; A-1535) | 1320.80 | am |
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| 750.20 | r | (P-762) | 300.630 am | 395.130 | am | (P-8066/92; A-2984) | 697.20 am |
| 750.20 | r | (P-777) | 300.660 am | 395.140 | am | (P-8066/92; A-2984) | 697.30 am |
| 750.30 | n | (P-762) | 300.665 am | 395.150 | am | (P-8066/92; A-2984) | 750.540 am |
| 750.30 | n | (P-777) | 300.3210 am | 395.160 | am | (P-8066/92; A-2984) | 750.1810 am |
| 750.40 | r | (P-762) | 300.3330 am | 395.170 | am | (P-8066/92; A-2984) | 750.1820 am |
| 750.40 | n | (P-777) | 330.175 am | 395.175 | n | (P-8066/92; A-2984) | 750.1830 am |
| 750.41 | r | (P-762) | 330.180 am | 395.180 | am | (P-8066/92; A-2984) | 750.1855 n |
| 750.50 | r | (P-762) | 330.260 am | 395.180 | am | (P-8066/92; A-2984) | 750.1865 am |
| 750.50 | n | (P-777) | 330.270 am | 395.190 | am | (P-8066/92; A-2984) | 750.1865 am |
| 750.60 | r | (P-762) | 330.271 n | 395.200 | r | (P-8066/92; A-2984) | 750.1865 am |
| 750.60 | n | (P-777) | 330.278 am | 395.200 | am | (P-8066/92; A-2984) | 750.1865 am |
| 750.70 | r | (P-762) | 330.290 am | 395.400 | am | (P-8066/92; A-2984) | 775.10 am |
| 750.70 | n | (P-777) | 330.330 am | 630.20 | am | (P-8103/92; A-3013) | 775.20 am |
| 750.80 | r | (P-762) | 330.330 am | 630.90 | am | (P-8103/92; A-3013) | 775.70 am |
| 750.80 | n | (P-777) | 330.730 am | 630.200 | am | (P-8103/92; A-3013) | 775.110 am |
| 750.90 | r | (P-762) | 330.916 r | 630.220 | am | (P-3069) | 775.140 am |
| 750.90 | n | (P-777) | 330.4210 am | 661.70 | am | (P-757) | 775.150 n |
| 750.100 | r | (P-762) | 330.4330 am | 665.100 | am | (P-2697) | 785.110 am |
| 750.110 | n | (P-777) | 350.175 am | 665.110 | r | (P-2697) | 785.120 am |
| 750.120 | r | (P-762) | 350.180 am | 665.120 | am | (P-2697) | 785.200 am |
| 750.120 | n | (P-777) | 350.260 am | 665.140 | am | (P-2697) | 785.290 am |
| 750.130 | n | (P-762) | 350.270 am | 665.150 | am | (P-2697) | 785.300 am |
| 750.140 | r | (P-777) | 350.271 n | 665.210 | am | (P-2697) | 785.335 n |
| 750.150 | n | (P-762) | 350.278 am | 665.220 | am | (P-2697) | 785.578 n |
| 750.150 | n | (P-777) | 350.290 am | 665.230 | am | (P-2697) | 785.1210 n |
| 750.175 | r | (P-762) | 350.330 am | 665.240 | am | (P-2697) | 785.1220 n |
| 750.180 | n | (P-777) | 350.640 am | 665.280 | am | (P-2697) | 790.20 am |
| 750.190 | r | (P-762) | 350.680 am | 665.310 | am | (P-2697) | 790.40 am |
| 750.200 | n | (P-777) | 350.685 am | 665.420 | am | (P-2697) | 790.420 r |
| 750.210 | r | (P-762) | 350.3210 am | 665.430 | am | (P-2697) | 790.460 r |
| 750.220 | n | (P-777) | 350.3330 am | 665.510 | am | (P-2697) | 790.480 r |
| 750.230 | n | (P-762) | 350.3730 am | 665.610 | am | (P-2697) | 790.500 am |
| 750.240 | r | (P-777) | 350.400 am | 665.620 | am | (P-2697) | 790.540 am |
| 750.250 | n | (P-762) | 350.410 am | 665.630 | am | (P-2697) | 790.548 r |
| 750.260 | n | (P-777) | 350.420 am | 665.640 | am | (P-2697) | 790.580 r |
| 750.270 | n | (P-762) | 350.430 am | 665.650 | am | (P-2697) | 790.600 r |
| 750.280 | r | (P-777) | 350.440 am | 665.660 | am | (P-2697) | 790.620 r |
| 750.290 | n | (P-762) | 350.450 am | 665.670 | am | (P-2697) | 790.630 r |
| 750.300 | n | (P-777) | 350.460 am | 665.680 | am | (P-2697) | 790.660 r |
| 750.310 | r | (P-762) | 350.470 am | 665.690 | am | (P-2697) | 790.700 r |
| 750.320 | n | (P-777) | 350.480 am | 665.700 | am | (P-2697) | 790.706 r |
| 750.330 | n | (P-762) | 350.490 am | 665.710 | am | (P-2697) | 790.721 am |
| 750.340 | r | (P-777) | 350.500 am | 665.720 | am | (P-2697) | 790.740 am |
| 750.350 | n | (P-762) | 350.510 am | 665.730 | am | (P-2697) | 790.756 r |
| 750.360 | n | (P-777) | 350.520 am | 665.740 | am | (P-2697) | 790.760 r |
| 750.370 | n | (P-762) | 350.530 am | 665.750 | am | (P-2697) | 790.760 r |
| 750.380 | r | (P-777) | 350.540 am | 665.760 | am | (P-2697) | 790.760 r |
| 750.390 | n | (P-762) | 350.550 am | 665.770 | am | (P-2697) | 790.760 r |
| 750.400 | r | (P-777) | 350.560 am | 665.780 | am | (P-2697) | 790.760 r |
| 750.410 | n | (P-762) | 350.570 am | 665.790 | am | (P-2697) | 790.760 r |
| 750.420 | r | (P-777) | 350.580 am | 665.800 | am | (P-2697) | 790.760 r |
| 750.430 | n | (P-762) | 350.590 am | 665.810 | am | (P-2697) | 790.760 r |
| 750.440 | r | (P-777) | 350.600 am | 665.820 | am | (P-2697) | 790.760 r |
| 750.450 | n | (P-762) | 350.610 am | 665.830 | am | (P-2697) | 790.760 r |
| 750.460 | r | (P-777) | 350.620 am | 665.840 | am | (P-2697) | 790.760 r |
| 750.470 | n | (P-762) | 350.630 am | 665.850 | am | (P-2697) | 790.760 r |
| 750.480 | r | (P-777) | 350.640 am | 665.860 | am | (P-2697) | 790.760 r |
| 750.490 | n | (P-762) | 350.650 am | 665.870 | am | (P-2697) | 790.760 r |
| 750.500 | r | (P-777) | 350.660 am | 665.880 | am | (P-2697) | 790.760 r |
| 750.510 | n | (P-762) | 350.670 am | 665.890 | am | (P-2697) | 790.760 r |
| 750.520 | r | (P-777) | 350.680 am | 665.900 | am | (P-2697) | 790.760 r |
| 750.530 | n | (P-762) | 350.690 am | 665.910 | am | (P-2697) | 790.760 r |
| 750.540 | r | (P-777) | 350.700 am | 665.920 | am | (P-2697) | 790.760 r |
| 750.550 | n | (P-762) | 350.710 am | 665.930 | am | (P-2697) | 790.760 r |
| 750.560 | r | (P-777) | 350.720 am | 665.940 | am | (P-2697) | 790.760 r |
| 750.570 | n | (P-762) | 350.730 am | 665.950 | am | (P-2697) | 790.760 r |
| 750.580 | r | (P-777) | 350.740 am | 665.960 | am | (P-2697) | 790.760 r |
| 750.590 | n | (P-762) | 350.750 am | 665.970 | am | (P-2697) | 790.760 r |
| 750.600 | r | (P-777) | 350.760 am | 665.980 | am | (P-2697) | 790.760 r |
| 750.610 | n | (P-762) | 350.770 am | 665.990 | am | (P-2697) | 790.760 r |
| 750.620 | r | (P-777) | 350.780 am | 665.100 | am | (P-2697) | 790.760 r |
| 750.630 | n | (P-762) | 350.790 am | 665.110 | am | (P-2697) | 790.760 r |
| 750.640 | r | (P-777) | 350.800 am | 665.120 | am | (P-2697) | 790.760 r |
| 750.650 | n | (P-762) | 350.810 am | 665.130 | am | (P-2697) | 790.760 r |
| 750.660 | r | (P-777) | 350.820 am | 665.140 | am | (P-2697) | 790.760 r |
| 750.670 | n | (P-762) | 350.830 am | 665.150 | am | (P-2697) | 790.760 r |
| 750.680 | r | (P-777) | 350.840 am | 665.160 | am | (P-2697) | 790.760 r |
| 750.690 | n | (P-762) | 350.850 am | 665.170 | am | (P-2697) | 790.760 r |
| 750.700 | r | (P-777) | 350.860 am | 665.180 | am | (P-2697) | 790.760 r |
| 750.710 | n | (P-762) | 350.870 am | 665.190 | am | (P-2697) | 790.760 r |
| 750.720 | r | (P-777) | 350.880 am | 665.200 | am | (P-2697) | 790.760 r |
| 750.730 | n | (P-762) | 350.890 am | 665.210 | am | (P-2697) | 790.760 r |
| 750.740 | r | (P-777) | 350.900 am | 665.220 | am | (P-2697) | 790.760 r |
| 750.750 | n | (P-762) | 350.910 am | 665.230 | am | (P-2697) | 790.760 r |
| 750.760 | r | (P-777) | 350.920 am | 665.240 | am | (P-2697) | 790.760 r |
| 750.770 | n | (P-762) | 350.930 am | 665.250 | am | (P-2697) | 790.760 r |
| 750.780 | r | (P-777) | 350.940 am | 665.260 | am | (P-2697) | 790.760 r |
| 750.790 | n | (P-762) | 350.950 am | 665.270 | am | (P-2697) | 790.760 r |
| 750.800 | r | (P-777) | 350.960 am | 665.280 | am | (P-2697) | 790.760 r |
| 750.810 | n | (P-762) | 350.970 am | 665.290 | am | (P-2697) | 790.760 r |
| 750.820 | r | (P-777) | 350.980 am | 665.300 | am | (P-2697) | 790.760 r |
| 750.830 | n | (P-762) | 350.990 am | 665.310 | am | (P-2697) | 790.760 r |
| 750.840 | r | (P-777) | 351.000 am | 665.320 | am | (P-2697) | 790.760 r |
| 750.850 | n | (P-762) | 351.010 am | 665.330 | am | (P-2697) | 790.760 r |
| 750.860 | r | (P-777) | 351.020 am | 665.340 | am | (P-2697) | 790.760 r |
| 750.870 | n | (P-762) | 351.030 am | 665.350 | am | (P-2697) | 790.760 r |
| 750.880 | r | (P-777) | 351.040 am | 665.360 | am | (P-2697) | 790.760 r |
| 750.890 | n | (P-762) | 351.050 am | 665.370 | am | (P-2697) | 790.760 r |
| 750.900 | r | (P-777) | 351.060 am | 665.380 | am | (P-2697) | 790.760 r |
| 750.910 | n | (P-762) | 351.070 am | 665.390 | am | (P-2697) | 790.760 r |
| 750.920 | r | (P-777) | 351.080 am | 665.400 | am | (P-2697) | 790.760 r |
| 750.930 | n | (P-762) | 351.090 am | 665.410 | am | (P-2697) | 790.760 r |
| 750.940 | r | (P-777) | 351.100 am | 665.420 | am | (P-2697) | 790.760 r |
| 750.950 | n | (P-762) | 351.110 am | 665.430 | am | (P-2697) | 790.760 r |
| 750.960 | r | (P-777) | 351.120 am | 665.440 | am | (P-2697) | 790.760 r |
| 750.970 | n | (P-762) | 351.130 am | 665.450 | am | (P-2697) | 790.760 r |
| 750.980 | r | (P-777) | 351.140 am | 665.460 | am | (P-2697) | 790.760 r |
| 750.990 | n | (P-762) | 351.150 am | 665.470 | am | (P-2697) | 790.760 r |
| 751.000 | r | (P-777) | 351.160 am | 665.480 | am | (P-2697) | 790.760 r |
| 751.010 | n | (P-762) | 351.170 am | 665.490 | am | (P-2697) | 790.760 r |
| 751.020 | r | (P-777) | 351.180 am | 665.500 | am | (P-2697) | 790.760 r |
| 751.030 | n | (P-762) | 351.190 am | 665.510 | am | (P-2697) | 790.760 r |
| 751.040 | r | (P-777) | 351.200 am | 665.520 | am | (P-2697) | 790.760 r |
| 751.050 | n | (P-762) | 351.210 am | 665.530 | am | (P-2697) | 790.760 r |
| 751.060 | r | (P-777) | 351.220 am | 665.540 | am | (P-2697) | 790.760 r |
| 751.070 | n | (P-762) | 351.230 am | 665.550 | am | (P-2697) | 790.760 r |
| 751.080 | r | (P-777) | 351.240 am | 665.560 | am | (P-2697) | 790.760 r |
| 751.090 | n | (P-762) | 351.250 am | 665.570 | am | (P-2697) | 790.760 r |
| 751.100 | r | (P-777) | 351.260 am | 665.580 | am | (P-2697) | 790.760 r |
| 751.110 | n | (P-762) | 351.270 am | 665.590 | am | (P-2697) | 790.760 r |
| 751.120 | r | (P-777) | 351.280 am | 665.600 | am | (P-2697) | 790.760 r |
| 751.130 | n | (P-762) | 351.290 am | 665.610 | am | (P-2697) | 790.760 r |
| 751.140 | r | (P-777) | 351.300 am | 665.620 | am | (P-2697) | 790.760 r |
| 751.150 | n | (P-762) | 351.310 am | 665.630 | am | (P-2697) | 790.760 r |
| 751.160 | r | (P-777) | 351.320 am | 665.640 | am | (P-2697) | 790.760 r |
| 751.170 | n | (P-762) | 351.330 am | 665.650 | am | (P-2697) | 790.760 r |
| 751.180 | r | (P-777) | 351.340 am | 665.660 | am | (P-2697) | 790.760 r |
| 751.190 | n | (P-762) | 351.350 am | 665.670 | am | (P-2697) | 790.760 r |
| 751.200 | r | (P-777) | 351.360 am | 665.680 | am | (P-2697) | 790.760 r |
| 751.210 | n | (P-762) | 351.370 am | 665.690 | am | (P-2697) | 790.760 r |
| 751.220 | r | (P-777) | 351.380 am | 665.700 | am | (P-2697) | 790.760 r |
| 751.230 | n | (P-762) | 351.390 am | 665.710 | am | (P-2697) | 790.760 r |
| 751.240 | r | (P-777) | 351.400 am | 665.720 | am | (P-2697) | 790.760 r |
| 751.250 | n | (P-762) | 351.410 am | 665.730 | am | | |

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| 790.780 | r | (P-7198) (E-7283) | 790.1425 | r | (P-7198) (E-7283) |
| 790.788 | r | (P-7198) (E-7283) | 790.1440 | r | (P-7198) (E-7283) |
| 790.798 | r | (P-7198) (E-7283) | 790.1460 | r | (P-7198) (E-7283) |
| 790.799 | r | (P-7198) (E-7283) | 790.1490 | r | (P-7198) (E-7283) |
| 790.815 | r | (P-7198) (E-7283) | 790.1500 | r | (P-7198) (E-7283) |
| 790.820 | r | (P-7198) (E-7283) | 790.1540 | r | (P-7198) (E-7283) |
| 790.830 | r | (P-7198) (E-7283) | 790.1560 | am | (P-17496/92; W-7075) |
| 790.860 | am | (P-17496/92; W-7075) | 790.1565 | n | (P-17496/92; W-7075) |
| 790.900 | r | (P-7198) (E-7283) | 790.1570 | r | (P-7198) (E-7283) |
| 790.905 | r | (P-7198) (E-7283) | 790.1573 | r | (P-7198) (E-7283) |
| 790.910 | r | (P-7198) (E-7283) | 790.1577 | am | (P-17496/92; W-7075) |
| 790.920 | r | (P-7198) (E-7283) | 790.1580 | r | (P-7198) (E-7283) |
| 790.940 | r | (P-7198) (E-7283) | 790.1620 | r | (P-7198) (E-7283) |
| 790.974 | am | (P-17496/92; W-7075) | 790.1660 | r | (P-7198) (E-7283) |
| 790.980 | r | (P-7198) (E-7283) | 790.1685 | r | (P-7198) (E-7283) |
| 790.1020 | r | (P-7198) (E-7283) | 790.1697 | r | (P-7198) (E-7283) |
| 790.1060 | r | (P-7198) (E-7283) | 790.1700 | r | (P-7198) (E-7283) |
| 790.1100 | r | (P-7198) (E-7283) | 790.1706 | r | (P-7198) (E-7283) |
| 790.1107 | r | (P-7198) (E-7283) | 790.1708 | r | (P-7198) (E-7283) |
| 790.1112 | r | (P-7198) (E-7283) | 790.1710 | r | (P-7198) (E-7283) |
| 790.1120 | r | (P-7198) (E-7283) | 790.1719 | r | (P-7198) (E-7283) |
| 790.1125 | r | (P-7198) (E-7283) | 790.1721 | r | (P-7198) (E-7283) |
| 790.1127 | r | (P-7198) (E-7283) | 790.1740 | r | (P-7198) (E-7283) |
| 790.1129 | r | (P-7198) (E-7283) | 790.1780 | r | (P-7198) (E-7283) |
| 790.1131 | r | (P-7198) (E-7283) | 790.1820 | r | (P-7198) (E-7283) |
| 790.1140 | r | (P-7198) (E-7283) | 790.1835 | r | (P-7198) (E-7283) |
| 790.1180 | r | (P-7198) (E-7283) | 790.1842 | r | (P-7198) (E-7283) |
| 790.1200 | r | (P-7198) (E-7283) | 790.1846 | r | (P-7198) (E-7283) |
| 790.1220 | r | (P-7198) (E-7283) | 790.1848 | r | (P-7198) (E-7283) |
| 790.1260 | r | (P-7198) (E-7283) | 790.1856 | r | (P-7198) (E-7283) |
| 790.1300 | r | (P-7198) (E-7283) | 790.1858 | r | (P-7198) (E-7283) |
| 790.1345 | r | (P-7198) (E-7283) | 790.1859 | n | (P-17496/92; W-7075) |
| 790.1350 | am | (P-17496/92; W-7075) | 790.1860 | r | (P-7198) (E-7283) |
| 790.1360 | r | (P-7198) (E-7283) | 790.1870 | r | (P-7198) (E-7283) |
| 790.1380 | r | (P-7198) (E-7283) | 790.1900 | r | (P-7198) (E-7283) |
| 790.1386 | r | (P-7198) (E-7283) | 790.1930 | am | (P-17496/92; W-7075) |
| 790.1388 | am | (P-17496/92; W-7075) | 790.1940 | r | (P-7198) (E-7283) |
| 790.1390 | am | (P-7198) (E-7283) | 790.1950 | am | (P-17496/92; W-7075) |
| 790.1418 | am | (P-17496/92; W-7075) | 790.1960 | am | (P-7198) (E-7283) |
| 790.1420 | r | (P-7198) (E-7283) | 790.1980 | r | (P-17496/92; W-7075) |
| 790.1423 | r | (P-7198) (E-7283) | 790.2020 | r | (P-7198) (E-7283) |
| | | | 790.2060 | r | (P-7198) (E-7283) |

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| 790.2086 | n | (P-17496/92; W-7075) | 790.2663 | r | (P-7198) (E-7283) |
| 790.2092 | r | (P-7198) (E-7283) | 790.2668 | r | (P-7198) (E-7283) |
| 790.2097 | r | (P-7198) (E-7283) | 790.2672 | r | (P-7198) (E-7283) |
| 790.2100 | r | (P-7198) (E-7283) | 790.2700 | r | (P-7198) (E-7283) |
| 790.2130 | r | (P-7198) (E-7283) | 790.2740 | r | (P-7198) (E-7283) |
| 790.2140 | r | (P-7198) (E-7283) | 790.2780 | r | (P-7198) (E-7283) |
| 790.2155 | r | (P-7198) (E-7283) | 790.2800 | r | (P-7198) (E-7283) |
| 790.2180 | r | (P-7198) (E-7283) | 790.2805 | r | (P-7198) (E-7283) |
| 790.2220 | r | (P-7198) (E-7283) | 790.2820 | r | (P-7198) (E-7283) |
| 790.2260 | r | (P-7198) (E-7283) | 790.2860 | r | (P-7198) (E-7283) |
| 790.2300 | r | (P-7198) (E-7283) | 790.2900 | r | (P-7198) (E-7283) |
| 790.2340 | r | (P-7198) (E-7283) | 790.2902 | r | (P-7198) (E-7283) |
| 790.2380 | r | (P-7198) (E-7283) | 790.2908 | r | (P-7198) (E-7283) |
| 790.2390 | r | (P-7198) (E-7283) | 790.2915 | r | (P-7198) (E-7283) |
| 790.2420 | r | (P-7198) (E-7283) | 790.2928 | am | (P-17496/92; W-7075) |
| 790.2460 | r | (P-7198) (E-7283) | 790.2932 | am | (P-7198) (E-7283) |
| 790.2462 | am | (P-17496/92; W-7075) | 790.2940 | r | (P-7198) (E-7283) |
| 790.2465 | am | (P-17496/92; W-7075) | 790.2980 | r | (P-7198) (E-7283) |
| 790.2470 | r | (P-7198) (E-7283) | 790.3020 | r | (P-7198) (E-7283) |
| 790.2485 | r | (P-7198) (E-7283) | 790.3021 | r | (P-7198) (E-7283) |
| 790.2500 | r | (P-7198) (E-7283) | 790.3023 | r | (P-7198) (E-7283) |
| 790.2510 | r | (P-7198) (E-7283) | 790.3025 | r | (P-7198) (E-7283) |
| 790.2540 | r | (P-7198) (E-7283) | 790.3027 | am | (P-17496/92; W-7075) |
| 790.2555 | r | (P-7198) (E-7283) | 790.3028 | r | (P-7198) (E-7283) |
| 790.2580 | r | (P-7198) (E-7283) | 790.3029 | r | (P-7198) (E-7283) |
| 790.2583 | r | (P-7198) (E-7283) | 790.3030 | r | (P-7198) (E-7283) |
| 790.2585 | r | (P-7198) (E-7283) | 790.3032 | r | (P-7198) (E-7283) |
| 790.2587 | n | (P-17496/92; W-7075) | 790.3033 | r | (P-7198) (E-7283) |
| 790.2600 | n | (P-17496/92; W-7075) | 790.3038 | r | (P-7198) (E-7283) |
| 790.2603 | r | (P-7198) (E-7283) | 790.3042 | r | (P-7198) (E-7283) |
| 790.2605 | am | (P-17496/92; W-7075) | 790.3048 | r | (P-7198) (E-7283) |
| 790.2613 | am | (P-17496/92; W-7075) | 790.3049 | r | (P-7198) (E-7283) |
| 790.2614 | r | (P-7198) (E-7283) | 790.3051 | r | (P-7198) (E-7283) |
| 790.2617 | r | (P-7198) (E-7283) | 790.3054 | r | (P-7198) (E-7283) |
| 790.2618 | am | (P-17496/92; W-7075) | 790.3056 | r | (P-7198) (E-7283) |
| 790.2620 | r | (P-7198) (E-7283) | 790.3060 | r | (P-7198) (E-7283) |
| 790.2645 | r | (P-7198) (E-7283) | 790.3085 | r | (P-7198) (E-7283) |
| 790.2655 | r | (P-7198) (E-7283) | 790.3100 | r | (P-7198) (E-7283) |
| 790.2660 | r | (P-7198) (E-7283) | 790.3140 | r | (P-7198) (E-7283) |
| 790.2661 | am | (P-17496/92; W-7075) | 790.3180 | r | (P-7198) (E-7283) |
| | | | 790.3220 | r | (P-7198) (E-7283) |
| | | | 790.3235 | n | (P-17496/92; W-7075) |
| | | | 790.3260 | r | (P-7198) (E-7283) |

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| 790.3308 | am | (P-7198) (E-7283) | r | 790.3996 | r | (P-7198) (E-7283) | r | 790.5800 | r |
| 790.3315 | r | (P-7198) (E-7283) | r | 790.4012 | r | (P-7198) (E-7283) | r | 790.5802 | r |
| 790.3335 | r | (P-7198) (E-7283) | r | 790.4020 | r | (P-7198) (E-7283) | r | 790.5807 | r |
| 790.3337 | n | (P-7198) (E-7283) | r | 790.4040 | r | (P-7198) (E-7283) | r | 790.5820 | r |
| 790.3340 | r | (P-7198) (E-7283) | r | 790.4060 | r | (P-7198) (E-7283) | r | 790.5830 | r |
| 790.3350 | r | (P-7198) (E-7283) | r | 790.4100 | am | (P-7198) (E-7283) | r | 790.5835 | r |
| 790.3380 | r | (P-7198) (E-7283) | r | 790.4140 | r | (P-7198) (E-7283) | r | 790.5837 | r |
| 790.3420 | am | (P-7198) (E-7283) | r | 790.4150 | r | (P-7198) (E-7283) | r | 790.5840 | r |
| 790.3425 | r | (P-7198) (E-7283) | r | 790.4173 | r | (P-7198) (E-7283) | r | 790.5860 | r |
| 790.3437 | r | (P-7198) (E-7283) | r | 790.4180 | r | (P-7198) (E-7283) | r | 790.5872 | am |
| 790.3440 | r | (P-7198) (E-7283) | r | 790.4200 | r | (P-7198) (E-7283) | r | 790.5893 | r |
| 790.3460 | r | (P-7198) (E-7283) | r | 790.4260 | r | (P-7198) (E-7283) | r | 790.5900 | r |
| 790.3472 | r | (P-7198) (E-7283) | r | 790.4300 | r | (P-7198) (E-7283) | r | 790.5924 | r |
| 790.3475 | r | (P-7198) (E-7283) | r | 790.4340 | r | (P-7198) (E-7283) | r | 790.5940 | am |
| 790.3488 | r | (P-7198) (E-7283) | r | 790.4380 | am | (P-7198) (E-7283) | r | 790.5980 | r |
| 790.3492 | r | (P-7198) (E-7283) | r | 790.4382 | r | (P-7198) (E-7283) | r | 790.5992 | r |
| 790.3500 | r | (P-7198) (E-7283) | r | 790.4384 | # | (P-7198) (E-7283) | r | 790.5996 | r |
| 790.3540 | r | (P-7198) (E-7283) | r | 790.4385 | r | (P-7198) (E-7283) | r | 790.6020 | r |
| 790.3620 | r | (P-7198) (E-7283) | r | 790.4386 | r | (P-7198) (E-7283) | r | 790.6060 | r |
| 790.3660 | r | (P-7198) (E-7283) | r | 790.4396 | r | (P-7198) (E-7283) | r | 790.6100 | r |
| 790.3700 | am | (P-7198) (E-7283) | r | 790.4398 | r | (P-7198) (E-7283) | r | 790.6140 | r |
| 790.3720 | r | (P-7198) (E-7283) | r | 790.4420 | r | (P-7198) (E-7283) | r | 790.6180 | am |
| 790.3730 | r | (P-7198) (E-7283) | r | 790.4430 | r | (P-7198) (E-7283) | r | 790.6220 | r |
| 790.3740 | r | (P-7198) (E-7283) | r | 790.4436 | r | (P-7198) (E-7283) | r | 790.6260 | r |
| 790.3742 | r | (P-7198) (E-7283) | r | 790.4439 | r | (P-7198) (E-7283) | r | 790.6275 | r |
| 790.3780 | r | (P-7198) (E-7283) | r | 790.4440 | r | (P-7198) (E-7283) | r | 790.6277 | r |
| 790.3800 | r | (P-7198) (E-7283) | r | 790.4430 | r | (P-7198) (E-7283) | r | 790.6280 | am |
| 790.3820 | r | (P-7198) (E-7283) | r | 790.4360 | r | (P-7198) (E-7283) | r | 790.6284 | r |
| 790.3860 | r | (P-7198) (E-7283) | r | 790.4395 | r | (P-7198) (E-7283) | r | 790.6300 | r |
| 790.3900 | r | (P-7198) (E-7283) | r | 790.4500 | r | (P-7198) (E-7283) | r | 790.6340 | r |
| 790.3902 | n | (P-7198) (E-7283) | r | 790.4540 | r | (P-7198) (E-7283) | r | 790.6370 | am |
| 790.3904 | r | (P-7198) (E-7283) | r | 790.4620 | r | (P-7198) (E-7283) | r | 790.6375 | r |
| 790.3907 | am | (P-7198) (E-7283) | r | 790.4660 | r | (P-7198) (E-7283) | r | 790.6380 | r |
| 790.3910 | r | (P-7198) (E-7283) | r | 790.4665 | r | (P-7198) (E-7283) | r | 790.6420 | r |
| 790.3914 | am | (P-7198) (E-7283) | r | 790.4667 | r | (P-7198) (E-7283) | r | 790.6430 | am |
| 790.3920 | r | (P-7198) (E-7283) | r | 790.4670 | r | (P-7198) (E-7283) | r | 790.6435 | r |
| 790.3945 | am | (P-7198) (E-7283) | r | 790.4680 | r | (P-7198) (E-7283) | r | 790.6445 | r |
| 790.3940 | r | (P-7198) (E-7283) | r | 790.4700 | r | (P-7198) (E-7283) | r | 790.6450 | r |
| 790.3945 | r | (P-7198) (E-7283) | r | 790.4720 | am | (P-7198) (E-7283) | r | 790.6452 | r |
| 790.3960 | r | (P-7198) (E-7283) | r | 790.4725 | r | (P-7198) (E-7283) | r | 790.6454 | r |
| | | | | 790.4728 | am | (P-7198) (E-7283) | r | 790.6456 | r |
| | | | | 790.4740 | r | (P-7198) (E-7283) | r | 790.6460 | r |
| | | | | 790.4780 | r | (P-7198) (E-7283) | r | | |

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| 790.3996 | r | (P-7198) (E-7283) | r | 790.4840 | r | (P-7198) (E-7283) | r | 790.5800 | r |
| 790.4012 | r | (P-7198) (E-7283) | r | 790.4860 | r | (P-7198) (E-7283) | r | 790.5802 | r |
| 790.4020 | r | (P-7198) (E-7283) | r | 790.4900 | am | (P-7198) (E-7283) | r | 790.5807 | r |
| 790.4040 | r | (P-7198) (E-7283) | r | 790.4940 | r | (P-7198) (E-7283) | r | 790.5820 | r |
| 790.4060 | r | (P-7198) (E-7283) | r | 790.4960 | r | (P-7198) (E-7283) | r | 790.5830 | r |
| 790.4100 | am | (P-7198) (E-7283) | r | 790.4965 | r | (P-7198) (E-7283) | r | 790.5835 | r |
| 790.4140 | r | (P-7198) (E-7283) | r | 790.4980 | r | (P-7198) (E-7283) | r | 790.5837 | r |
| 790.4150 | r | (P-7198) (E-7283) | r | 790.5020 | r | (P-7198) (E-7283) | r | 790.5840 | r |
| 790.4173 | r | (P-7198) (E-7283) | r | 790.5030 | r | (P-7198) (E-7283) | r | 790.5860 | r |
| 790.4180 | r | (P-7198) (E-7283) | r | 790.5060 | r | (P-7198) (E-7283) | r | 790.5872 | am |
| 790.4200 | r | (P-7198) (E-7283) | r | 790.5100 | r | (P-7198) (E-7283) | r | 790.5893 | r |
| 790.4220 | am | (P-7198) (E-7283) | r | 790.5140 | r | (P-7198) (E-7283) | r | 790.5900 | r |
| 790.4260 | r | (P-7198) (E-7283) | r | 790.5180 | r | (P-7198) (E-7283) | r | 790.5924 | r |
| 790.4300 | r | (P-7198) (E-7283) | r | 790.5220 | am | (P-7198) (E-7283) | r | 790.5940 | am |
| 790.4340 | r | (P-7198) (E-7283) | r | 790.5260 | r | (P-7198) (E-7283) | r | 790.5980 | r |
| 790.4380 | am | (P-7198) (E-7283) | r | 790.5300 | r | (P-7198) (E-7283) | r | 790.5992 | r |
| 790.4382 | r | (P-7198) (E-7283) | r | 790.5312 | r | (P-7198) (E-7283) | r | 790.5996 | r |
| 790.4384 | # | (P-7198) (E-7283) | r | 790.5320 | am | (P-7198) (E-7283) | r | 790.6020 | r |
| 790.4385 | r | (P-7198) (E-7283) | r | 790.5340 | r | (P-7198) (E-7283) | r | 790.6060 | r |
| 790.4386 | r | (P-7198) (E-7283) | r | 790.5380 | r | (P-7198) (E-7283) | r | 790.6100 | r |
| 790.4396 | r | (P-7198) (E-7283) | r | 790.5420 | r | (P-7198) (E-7283) | r | 790.6140 | r |
| 790.4398 | r | (P-7198) (E-7283) | r | 790.5460 | r | (P-7198) (E-7283) | r | 790.6180 | am |
| 790.4420 | r | (P-7198) (E-7283) | r | 790.5483 | r | (P-7198) (E-7283) | r | 790.6220 | r |
| 790.4430 | r | (P-7198) (E-7283) | r | 790.5500 | am | (P-7198) (E-7283) | r | 790.6260 | r |
| 790.4360 | r | (P-7198) (E-7283) | r | 790.5520 | r | (P-7198) (E-7283) | r | 790.6275 | r |
| 790.4395 | r | (P-7198) (E-7283) | r | 790.5530 | r | (P-7198) (E-7283) | r | 790.6277 | r |
| 790.4500 | r | (P-7198) (E-7283) | r | 790.5540 | am | (P-7198) (E-7283) | r | 790.6280 | am |
| 790.4540 | r | (P-7198) (E-7283) | r | 790.5544 | r | (P-7198) (E-7283) | r | 790.6284 | r |
| 790.4580 | r | (P-7198) (E-7283) | r | 790.5555 | r | (P-7198) (E-7283) | r | 790.6300 | r |
| 790.4620 | r | (P-7198) (E-7283) | r | 790.5560 | r | (P-7198) (E-7283) | r | 790.6340 | r |
| 790.4660 | r | (P-7198) (E-7283) | r | 790.5580 | r | (P-7198) (E-7283) | r | 790.6370 | am |
| 790.4665 | r | (P-7198) (E-7283) | r | 790.5620 | r | (P-7198) (E-7283) | r | 790.6375 | r |
| 790.4667 | r | (P-7198) (E-7283) | r | 790.5640 | r | (P-7198) (E-7283) | r | 790.6380 | r |
| 790.4670 | r | (P-7198) (E-7283) | r | 790.5660 | r | (P-7198) (E-7283) | r | 790.6420 | r |
| 790.4680 | r | (P-7198) (E-7283) | r | 790.5660 | r | (P-7198) (E-7283) | r | 790.6430 | am |
| 790.4700 | r | (P-7198) (E-7283) | r | 790.5700 | r | (P-7198) (E-7283) | r | 790.6435 | r |
| 790.4720 | am | (P-7198) (E-7283) | r | 790.5720 | r | (P-7198) (E-7283) | r | 790.6445 | r |
| 790.4725 | r | (P-7198) (E-7283) | r | 790.5740 | r | (P-7198) (E-7283) | r | 790.6450 | r |
| 790.4728 | am | (P-7198) (E-7283) | r | 790.5780 | r | (P-7198) (E-7283) | r | 790.6452 | r |
| 790.4740 | r | (P-7198) (E-7283) | r | 790.5788 | am | (P-7198) (E-7283) | r | 790.6454 | r |
| 790.4780 | r | (P-7198) (E-7283) | r | 790.5792 | r | (P-7198) (E-7283) | r | 790.6456 | r |
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| | | 790.7296 | r | (P-7198) (E-7283) | | 790.9520 | am |
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| 790.7120 | r | 790.7940 | r | (P-7198) (E-7283) | | 845.20 | am |
| 790.7130 | r | 790.7980 | r | (P-7198) (E-7283) | | 845.23 | n |
| 790.7140 | r | 790.8015 | r | (P-7198) (E-7283) | | 845.25 | n |
| 790.7160 | r | 790.8020 | am | (P-17496/92; W-7075) | | 845.26 | n |
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| 845.Ap.D n | (P-12314/92; A-1884) | 1130.750 | am | (P-4755/92; A-5882) | 302.610 | am | (P-17187/92; A-3169) |
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| 900.60 am | (P-10870/92; A-4388) | 1230.40 | r | (P-5187/92; A-5878) | 310.270 | am | (P-18139/92; A-6441) |
| 900.65 am | (P-10870/92; A-4388) | 1230.110 | r | (P-5187/92; A-5878) | 310.290 | am | (P-191; C-672) |
| 900.70 am | (P-10870/92; A-4388) | 1230.120 | r | (P-5187/92; A-5878) | 310.320 | am | (P-14001/92; A-1819) |
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| 900.Tb.F n | (P-10870/92; A-4388) | 1230.220 | r | (P-5187/92; A-5878) | 310.455 | am | (P-14001/92; A-1819) |
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| Ex.D n | (P-10870/92; A-4388) | 1230.410 | r | (P-5187/92; A-5878) | | | (P-18139/92; A-6441) |
| 915.10 am | (P-10989/92; A-4425) | 1230.420 | r | (P-5187/92; A-5878) | | | (P-7605) |
| 915.20 am | (P-10989/92; A-4425) | 1230.Tb.A | r | (P-5187/92; A-5878) | | | (P-13179/92; A-590) |
| 915.40 n | (P-10989/92; A-4425) | 1230.Tb.B | r | (P-5187/92; A-5878) | | | (P-498) |
| 915.50 n | (P-10989/92; A-4425) | 1235.10 | n | (E-432; O-3056) (P-683) | | | (P-18139/92; A-6441) |
| 1110.60 n | (P-15328/92; A-4453) | 1235.20 | n | (E-432; O-3056) (P-683) | | | (P-18139/92; A-6441) |
| 1110.235 n | (P-15328/92; A-4453) | 1235.30 | n | (E-432; O-3056) (P-683) | | | (P-7605) |
| 1120.10 n | (P-5205/92; A-4431) | 1235.40 | n | (E-432; O-3056) (P-683) | | | (P-13179/92; A-590) |
| 1120.20 n | (P-5205/92; RC-1244; A-4453) | 1235.50 | n | (E-432; O-3056) (P-683) | | | (P-498) |
| | A-4453) | 1235.100 | n | (E-432; O-3056) (P-683) | | | (P-18139/92; A-6441) |
| 1120.110 n | (P-5205/92; A-4431) | 1235.200 | n | (E-432; O-3056) (P-683) | | | (P-18139/92; A-6441) |
| 1120.120 n | (P-5205/92; RC-1244; A-4431) | 1235.210 | n | (E-432; O-3056) (P-683) | | | (P-7605) |
| | A-4431) | 1235.220 | n | (E-432; O-3056) (P-683) | | | (P-18139/92; A-6441) |
| 1120.130 n | (P-5205/92; A-4431) | 1235.230 | n | (E-432; O-3056) (P-683) | | | (P-7605) |
| 1120.210 n | (P-5205/92; A-4431) | 1235.240 | n | (E-432; O-3056) (P-683) | | | (P-18139/92; A-6441) |
| 1120.310 n | (P-5205/92; RC-1244; A-4431) | 1235.300 | n | (E-432; O-3056) (P-683) | | | (P-7605) |
| | A-4431) | 1235.310 | n | (E-432; O-3056) (P-683) | | | (P-13179/92; A-590) |
| 1120.Ap.A n | (P-5205/92; RC-1244; A-4431) | 1240.10 | r | (P-5225/92; A-5880) | | | (P-498) |
| | A-4431) | 1240.20 | r | (P-5225/92; A-5880) | | | (P-18139/92; A-6441) |
| 1130.140 am | (P-4755/92; A-5882) | 1240.30 | r | (P-5225/92; A-5880) | | | (P-15342/92; A-1652) |
| 1130.220 am | (P-4755/92; A-5882) | 1240.40 | r | (P-5225/92; A-5880) | | | (P-1724/92; W-869) |
| 1130.410 am | (P-4755/92; A-5882) | 1240.50 | r | (P-5225/92; A-5880) | | | (P-12409/92; W-869) |
| 1130.510 am | (P-4755/92; A-5882) | 1240.60 | r | (P-5225/92; A-5880) | | | (P-91; W-869) |
| 1130.620 am | (P-4755/92; A-5882) | 1240.70 | r | (P-5225/92; A-5880) | | | (P-15347/92; A-4510) |
| 1130.630 am | (P-4755/92; A-5882) | 1240.Ap.A | r | (P-5225/92; A-5880) | | | (P-6632) |
| 1130.640 am | (P-4755/92; A-5882) | 2510.60 | am | (P-1695) (E-2031) | | | (P-6635) |
| 1130.710 am | (P-4755/92; A-5882) | 2510.70 | am | (P-1695) (E-2031) | | | (P-6635) |
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| 1650.510 | am | (P-12384/92; A-1631) | 755.505 | n | (P-16709/92; A-5594) | 105.520 | n |
| 1650.520 | am | (P-12384/92; A-1631) | 755.510 | n | (P-16709/92; A-5594) | 105.600 | n |
| 1650.570 | am | (P-12384/92; A-1631) | 755.515 | n | (P-16709/92; A-5594) | 105.700 | n |
| 1650.620 | am | (P-12384/92; A-1631) | 755.520 | n | (P-16709/92; A-5594) | 105.800 | n |
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| Volume 17, Issue #22 | | SECTIONS AFFECTED INDEX | | Volume 17, Issue #22 | | SECTIONS AFFECTED INDEX | |
| May 28, 1993 | | | | May 28, 1993 | | | |
| TITLE 89 (CONT'D) | | | | TITLE 89 (CONT'D) | | | |
| 336.90 | n | (P-7963/92; A-1026) | 434.8 | am | (P-7115) | 440.520 | am |
| 336.100 | n | (P-7963/92; A-1026) | 434.9 | am | (P-7115) | 442.435 | am |
| 336.110 | n | (P-7963/92; A-1026) | 434.10 | n | (P-7115) | 451.10 | am |
| 336.120 | n | (P-7963/92; A-1026) | 434.11 | # | (P-7115) | 451.15 | am.# |
| 336.130 | n | (P-7963/92; A-1026) | 434.12 | n | (P-7115) | 451.20 | am |
| 336.140 | n | (P-7963/92; A-1026) | 505.5 | am | (P-7131) | 451.25 | am |
| 336.150 | n | (P-7963/92; A-1026) | 505.10 | am | (P-7131) | 451.50 | # |
| 336.160 | n | (P-7963/92; A-1026) | 505.30 | am | (P-7131) | 451.60 | am |
| 336.170 | n | (P-7963/92; A-1026) | 505.40 | am | (P-7131) | 451.70 | am |
| 337.10 | n | (P-7999/92; A-1046) | 505.50 | am | (P-7131) | 451.80 | am |
| 337.20 | n | (P-7999/92; A-1046) | 505.60 | am | (P-7131) | 451.90 | am |
| 337.30 | n | (P-7999/92; A-1046) | 505.70 | am | (P-7131) | 451.100 | am |
| 337.40 | n | (P-7999/92; A-1046) | 505.80 | am | (P-7131) | 451.110 | am |
| 337.50 | n | (P-7999/92; A-1046) | 525.500 | n | (P-7131) | 451.120 | am |
| 337.60 | n | (P-7999/92; A-1046) | 540.50 | n | (P-7131) | 451.130 | am |
| 337.70 | n | (P-7999/92; A-1046) | 562.20 | am | (P-7131) | 451.140 | am |
| 337.80 | n | (P-7999/92; A-1046) | 562.30 | am | (P-7131) | 451.150 | am |
| 337.90 | n | (P-7999/92; A-1046) | 567.20 | am | (P-7131) | 451.160 | am |
| 337.100 | n | (P-7999/92; A-1046) | 567.100 | am | (P-7131) | 451.160 | am |
| 337.110 | n | (P-7999/92; A-1046) | 587.610 | n | (P-7131) | 451.170 | am |
| 337.120 | n | (P-7999/92; A-1046) | 592.50 | am | (P-7131) | 451.170 | n |
| 337.130 | n | (P-7999/92; A-1046) | 592.80 | am | (P-7131) | 451.170 | n |
| 337.140 | n | (P-7999/92; A-1046) | 680.300 | am | (P-7131) | 451.170 | n |
| 337.150 | n | (P-7999/92; A-1046) | 685.150 | am | (P-7131) | 451.170 | n |
| 337.160 | n | (P-7999/92; A-1046) | 690.100 | am | (P-7131) | 451.170 | n |
| 337.170 | n | (P-7999/92; A-1046) | 690.200 | am | (P-7131) | 451.170 | n |
| 337.180 | n | (P-7999/92; A-1046) | 690.300 | am | (P-7131) | 451.170 | n |
| 337.190 | n | (P-7999/92; A-1046) | 690.400 | am | (P-7131) | 451.170 | n |
| 337.200 | n | (P-7999/92; A-1046) | 730.700 | r | (P-7131) | 451.170 | n |
| 337.210 | n | (P-7999/92; A-1046) | 827.10 | am | (P-7131) | 451.170 | n |
| 337.220 | n | (P-7999/92; A-1046) | 827.30 | am | (P-7131) | 451.170 | n |
| 337.230 | n | (P-7999/92; A-1046) | 827.40 | am | (P-7131) | 451.170 | n |
| 337.240 | n | (P-7999/92; A-1046) | 830.50 | am | (P-7131) | 451.170 | n |
| 337.250 | n | (P-7999/92; A-1046) | 897.10 | n | (P-7131) | 451.170 | n |
| 377.2 | am | (P-7553/92; A-259) | 897.20 | n | (P-7131) | 451.170 | n |
| 377.4 | am | (P-7553/92; A-259) | 897.30 | n | (P-7131) | 451.170 | n |
| 378.1 | r | (P-7561/92; A-272) | 897.40 | n | (P-7131) | 451.170 | n |
| 378.2 | r | (P-7561/92; A-272) | 897.50 | n | (P-7131) | 451.170 | n |
| 378.3 | r | (P-7561/92; A-272) | 897.60 | n | (P-7131) | 451.170 | n |
| 378.4 | r | (P-7561/92; A-272) | 1200.10 | am | (P-7131) | 451.170 | n |
| 402.15 | am | (P-11707/92; A-267) | 1200.20 | am | (P-7131) | 451.170 | n |
| 434.1 | am | (P-7115) | 1200.30 | am | (P-7131) | 451.170 | n |
| 434.2 | am | (P-7115) | 1200.40 | am | (P-7131) | 451.170 | n |
| 434.3 | am | (P-7115) | 1200.50 | am | (P-7131) | 451.170 | n |
| 434.4 | am | (P-7115) | 1200.60 | am | (P-7131) | 451.170 | n |
| 434.5 | am | (P-7115) | 1200.70 | am | (P-7131) | 451.170 | n |
| 434.6 | am | (P-7115) | 1200.80 | am | (P-7131) | 451.170 | n |
| 434.7 | am | (P-7115) | 1200.90 | am | (P-7131) | 451.170 | n |

| TITLE 92 (CONT'D) | | TITLE 92 (CONT'D) | |
|-------------------|---|-------------------|----|
| 704.40 | n | 1070.100 | am |
| 704.50 | n | 1360.40 | am |
| 704.60 | n | 2520.26 | r |
| 704.70 | n | 2520.105 | n |
| 704.80 | n | 2520.110 | r |
| 704.90 | n | 2520.115 | n |
| 704.100 | n | 2520.110 | r |
| 704.110 | n | 2520.200 | n |
| 704.120 | n | 2520.201 | n |
| 704.130 | n | 2520.202 | n |
| 704.140 | n | 2520.202 | r |
| 704.150 | n | 2520.203 | n |
| 704.160 | n | 2520.203 | r |
| 704.170 | n | 2520.204 | n |
| 704.180 | n | 2520.204 | r |
| 704.190 | n | 2520.205 | n |
| 704.200 | n | 2520.205 | r |
| 704.210 | n | 2520.206 | n |
| 704.220 | n | 2520.206 | r |
| 704.230 | n | 2520.207 | n |
| 704.240 | n | 2520.208 | n |
| 704.250 | n | 2520.208 | r |
| 704.260 | n | 2520.209 | n |
| 704.270 | n | 2520.209 | r |
| 704.280 | n | 2520.210 | n |
| 704.290 | n | 2520.210 | r |
| 704.300 | n | 2520.211 | n |
| 704.310 | n | 2520.211 | r |
| 704.320 | n | 2520.212 | n |
| 704.330 | n | 2520.212 | r |
| 704.340 | n | 2520.213 | n |
| 704.350 | n | 2520.213 | r |
| 704.360 | n | 2520.214 | n |
| 704.370 | n | 2520.214 | r |
| 704.380 | n | 2520.215 | n |
| 704.390 | n | 2520.215 | r |
| 704.400 | n | 2520.216 | n |
| 704.410 | n | 2520.216 | r |
| 704.420 | n | 2520.217 | n |
| 704.430 | n | 2520.217 | r |
| 704.440 | n | 2520.218 | n |
| 704.450 | n | 2520.218 | r |
| 704.460 | n | 2520.219 | n |
| 704.470 | n | 2520.219 | r |
| 704.480 | n | 2520.220 | n |
| 704.490 | n | 2520.220 | r |
| 704.500 | n | 2520.221 | n |
| 704.510 | n | 2520.221 | r |
| 704.520 | n | 2520.222 | n |
| 704.530 | n | 2520.222 | r |
| 704.540 | n | 2520.223 | n |
| 704.550 | n | 2520.223 | r |
| 704.560 | n | 2520.224 | n |
| 704.570 | n | 2520.224 | r |
| 704.580 | n | 2520.225 | n |
| 704.590 | n | 2520.225 | r |
| 704.600 | n | 2520.226 | n |
| 704.610 | n | 2520.226 | r |
| 704.620 | n | 2520.227 | n |
| 704.630 | n | 2520.227 | r |
| 704.640 | n | 2520.228 | n |
| 704.650 | n | 2520.228 | r |
| 704.660 | n | 2520.229 | n |
| 704.670 | n | 2520.229 | r |
| 704.680 | n | 2520.230 | n |
| 704.690 | n | 2520.230 | r |
| 704.700 | n | 2520.231 | n |
| 704.710 | n | 2520.231 | r |
| 704.720 | n | 2520.232 | n |
| 704.730 | n | 2520.232 | r |
| 704.740 | n | 2520.233 | n |
| 704.750 | n | 2520.233 | r |
| 704.760 | n | 2520.234 | n |
| 704.770 | n | 2520.234 | r |
| 704.780 | n | 2520.235 | n |
| 704.790 | n | 2520.235 | r |
| 704.800 | n | 2520.236 | n |
| 704.810 | n | 2520.236 | r |
| 704.820 | n | 2520.237 | n |
| 704.830 | n | 2520.237 | r |
| 704.840 | n | 2520.238 | n |
| 704.850 | n | 2520.238 | r |
| 704.860 | n | 2520.239 | n |
| 704.870 | n | 2520.239 | r |
| 704.880 | n | 2520.240 | n |
| 704.890 | n | 2520.240 | r |
| 704.900 | n | 2520.241 | n |
| 704.910 | n | 2520.241 | r |
| 704.920 | n | 2520.242 | n |
| 704.930 | n | 2520.242 | r |
| 704.940 | n | 2520.243 | n |
| 704.950 | n | 2520.243 | r |
| 704.960 | n | 2520.244 | n |
| 704.970 | n | 2520.244 | r |
| 704.980 | n | 2520.245 | n |
| 704.990 | n | 2520.245 | r |
| 705.000 | n | 2520.246 | n |
| 705.010 | n | 2520.246 | r |
| 705.020 | n | 2520.247 | n |
| 705.030 | n | 2520.247 | r |
| 705.040 | n | 2520.248 | n |
| 705.050 | n | 2520.248 | r |
| 705.060 | n | 2520.249 | n |
| 705.070 | n | 2520.249 | r |
| 705.080 | n | 2520.250 | n |
| 705.090 | n | 2520.250 | r |
| 705.100 | n | 2520.251 | n |
| 705.110 | n | 2520.251 | r |
| 705.120 | n | 2520.252 | n |
| 705.130 | n | 2520.252 | r |
| 705.140 | n | 2520.253 | n |
| 705.150 | n | 2520.253 | r |
| 705.160 | n | 2520.254 | n |
| 705.170 | n | 2520.254 | r |
| 705.180 | n | 2520.255 | n |
| 705.190 | n | 2520.255 | r |
| 705.200 | n | 2520.256 | n |
| 705.210 | n | 2520.256 | r |
| 705.220 | n | 2520.257 | n |
| 705.230 | n | 2520.257 | r |
| 705.240 | n | 2520.258 | n |
| 705.250 | n | 2520.258 | r |
| 705.260 | n | 2520.259 | n |
| 705.270 | n | 2520.259 | r |
| 705.280 | n | 2520.260 | n |
| 705.290 | n | 2520.260 | r |
| 705.300 | n | 2520.261 | n |
| 705.310 | n | 2520.261 | r |
| 705.320 | n | 2520.262 | n |
| 705.330 | n | 2520.262 | r |
| 705.340 | n | 2520.263 | n |
| 705.350 | n | 2520.263 | r |
| 705.360 | n | 2520.264 | n |
| 705.370 | n | 2520.264 | r |
| 705.380 | n | 2520.265 | n |
| 705.390 | n | 2520.265 | r |
| 705.400 | n | 2520.266 | n |
| 705.410 | n | 2520.266 | r |
| 705.420 | n | 2520.267 | n |
| 705.430 | n | 2520.267 | r |
| 705.440 | n | 2520.268 | n |
| 705.450 | n | 2520.268 | r |
| 705.460 | n | 2520.269 | n |
| 705.470 | n | 2520.269 | r |
| 705.480 | n | 2520.270 | n |
| 705.490 | n | 2520.270 | r |
| 705.500 | n | 2520.271 | n |
| 705.510 | n | 2520.271 | r |
| 705.520 | n | 2520.272 | n |
| 705.530 | n | 2520.272 | r |
| 705.540 | n | 2520.273 | n |
| 705.550 | n | 2520.273 | r |
| 705.560 | n | 2520.274 | n |
| 705.570 | n | 2520.274 | r |
| 705.580 | n | 2520.275 | n |
| 705.590 | n | 2520.275 | r |
| 705.600 | n | 2520.276 | n |
| 705.610 | n | 2520.276 | r |
| 705.620 | n | 2520.277 | n |
| 705.630 | n | 2520.277 | r |
| 705.640 | n | 2520.278 | n |
| 705.650 | n | 2520.278 | r |
| 705.660 | n | 2520.279 | n |
| 705.670 | n | 2520.279 | r |
| 705.680 | n | 2520.280 | n |
| 705.690 | n | 2520.280 | r |
| 705.700 | n | 2520.281 | n |
| 705.710 | n | 2520.281 | r |
| 705.720 | n | 2520.282 | n |
| 705.730 | n | 2520.282 | r |
| 705.740 | n | 2520.283 | n |
| 705.750 | n | 2520.283 | r |
| 705.760 | n | 2520.284 | n |
| 705.770 | n | 2520.284 | r |
| 705.780 | n | 2520.285 | n |
| 705.790 | n | 2520.285 | r |
| 705.800 | n | 2520.286 | n |
| 705.810 | n | 2520.286 | r |
| 705.820 | n | 2520.287 | n |
| 705.830 | n | 2520.287 | r |
| 705.840 | n | 2520.288 | n |
| 705.850 | n | 2520.288 | r |
| 705.860 | n | 2520.289 | n |
| 705.870 | n | 2520.289 | r |
| 705.880 | n | 2520.290 | n |
| 705.890 | n | 2520.290 | r |
| 705.900 | n | 2520.291 | n |
| 705.910 | n | 2520.291 | r |
| 705.920 | n | 2520.292 | n |
| 705.930 | n | 2520.292 | r |
| 705.940 | n | 2520.293 | n |
| 705.950 | n | 2520.293 | r |
| 705.960 | n | 2520.294 | n |
| 705.970 | n | 2520.294 | r |
| 705.980 | n | 2520.295 | n |
| 705.990 | n | 2520.295 | r |
| 706.000 | n | 2520.296 | n |
| 706.010 | n | 2520.296 | r |
| 706.020 | n | 2520.297 | n |
| 706.030 | n | 2520.297 | r |
| 706.040 | n | 2520.298 | n |
| 706.050 | n | 2520.298 | r |
| 706.060 | n | 2520.299 | n |
| 706.070 | n | 2520.299 | r |
| 706.080 | n | 2520.300 | n |
| 706.090 | n | 2520.300 | r |
| 706.100 | n | 2520.301 | n |
| 706.110 | n | 2520.301 | r |
| 706.120 | n | 2520.302 | n |
| 706.130 | n | 2520.302 | r |
| 706.140 | n | 2520.303 | n |
| 706.150 | n | 2520.303 | r |
| 706.160 | n | 2520.304 | n |
| 706.170 | n | 2520.304 | r |
| 706.180 | n | 2520.305 | n |
| 706.190 | n | 2520.305 | r |
| 706.200 | n | 2520.306 | n |
| 706.210 | n | 2520.306 | r |
| 706.220 | n | 2520.307 | n |
| 706.230 | n | 2520.307 | r |
| 706.240 | n | 2520.308 | n |
| 706.250 | n | 2520.308 | r |
| 706.260 | n | 2520.309 | n |
| 706.270 | n | 2520.309 | r |
| 706.280 | n | 2520.310 | n |
| 706.290 | n | 2520.310 | r |
| 706.300 | n | 2520.311 | n |
| 706.310 | n | 2520.311 | r |
| 706.320 | n | 2520.312 | n |
| 706.330 | n | 2520.312 | r |
| 706.340 | n | 2520.313 | n |
| 706.350 | n | 2520.313 | r |
| 706.360 | n | 2520.314 | n |
| 706.370 | n | 2520.314 | r |
| 706.380 | n | 2520.315 | n |
| 706.390 | n | 2520.315 | r |
| 706.400 | n | 2520.316 | n |
| 706.410 | n | 2520.316 | r |
| 706.420 | n | 2520.317 | n |
| 706.430 | n | 2520.317 | r |
| 706.440 | n | 2520.318 | n |
| 706.450 | n | 2520.318 | r |
| 706.460 | n | 2520.319 | n |
| 706.470 | n | 2520.319 | r |
| 706.480 | n | 2520.320 | n |
| 706.490 | n | 2520.320 | r |
| 706.500 | n | 2520.321 | n |
| 706.510 | n | 2520.321 | r |
| 706.520 | n | 2520.322 | n |
| 706.530 | n | 2520.322 | r |
| 706.540 | n | 2520.323 | n |
| 706.550 | n | 2520.323 | r |
| 706.560 | n | 2520.324 | n |
| 706.570 | n | 2520.324 | r |
| 706.580 | n | 2520.325 | n |
| 706.590 | n | 2520.325 | r |
| 706.600 | n | 2520.326 | n |
| 706.610 | n | 2520.326 | r |
| 706.620 | n | 2520.327 | n |
| 706.630 | n | 2520.327 | r |
| 706.640 | n | 2520.328 | n |
| 706.650 | n | 2520.328 | r |
| 706.660 | n | 2520.329 | n |
| 706.670 | n | 2520.329 | r |
| 706.680 | n | 2520.330 | n |
| 706.690 | n | 2520.330 | r |
| 706.700 | n | 2520.331 | n |
| 706.710 | n | 2520.331 | r |
| 706.720 | n | 2520.332 | n |
| 706.730 | n | 2520.332 | r |
| 706.740 | n | 2520.333 | n |
| 706.750 | n | 2520.333 | r |
| 706.760 | n | 2520.334 | n |
| 706.770 | n | 2520.334 | r |
| 706.780 | n | 2520.335 | n |
| 706.790 | n | 2520.335 | r |
| 706.800 | n | 2520.336 | n |
| 706.810 | n | 2520.336 | r |
| 706.820 | n | 2520.337 | n |
| 706.830 | n | 2520.337 | r |
| 706.840 | n | 2520.338 | n |
| 706.850 | n | 2520.338 | r |
| 706.860 | n | 2520.339 | n |
| 706.870 | n | 2520.339 | r |
| 706.880 | n | 2520.340 | n |
| 706.890 | n | 2520.340 | r |
| 706.900 | n | 2520.341 | n |
| 706.910 | n | 2520.341 | r |
| 706.920 | n | 2520.342 | n |
| 706.930 | n | 2520.342 | r |
| 706.940 | n | 2520.343 | n |
| 706.950 | n | 2520.343 | r |
| 706.960 | n | 2520.344 | n |
| 706.970 | n | 2520.344 | r |
| 706.980 | n | 2520.345 | n |
| 706.990 | n | 2520.345 | r |
| 707.000 | n | 2520.346 | n |
| 707.010 | n | 2520.346 | r |
| 707.02 | | | |

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